

# A freelancers' cooperative as a case of democratic institutional experimentation for better work: a case study of SMart-Belgium

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## Summary

This article discusses the experimentation led by SMart in Belgium, a worker cooperative founded to support freelance artists – and subsequently extended to other freelancers – with the aim of helping them reduce four forms of uncertainties that affect such workers. Over the past 20 years, SMart has sought to secure broader access to social protections for these workers, shifting its strategies to accommodate the changes in rules set by the Belgian federal state. Today, experimentation abounds for various types of intermediation with new forms of employment, but SMart is notable for its ambition to build a cooperative firm providing the protections of wage work to beneficiaries otherwise ignored by social policies. Based on qualitative research conducted from a Deweyan perspective, and 48 in-depth interviews with SMart worker-members, the authors examine the ways in which SMart can be considered an example of democratic institutional experimentation providing collective capabilities to its worker-members in pursuit of better work.

## Résumé

Cet article traite de l'expérimentation que constitue SMart en Belgique, une coopérative de travailleurs fondée pour soutenir les artistes indépendants - et élargie par la suite à d'autres travailleurs indépendants - dans le but de les aider à réduire quatre formes d'incertitude qui les affectent. Au cours des 20 dernières années, SMart a cherché à permettre un accès plus important à la protection sociale pour ces travailleurs, en modifiant ses stratégies pour s'adapter

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à l'évolution des règles fixées par l'État fédéral belge. Aujourd'hui, de nombreuses expérimentations sont menées visant différents types d'intermédiation liées à de nouvelles formes d'emploi, mais SMart se distingue par son ambition de construire une entreprise coopérative offrant la protection du salariat à des bénéficiaires autrement ignorés par les politiques de l'État social. Sur la base d'une recherche qualitative menée dans une perspective inspirée par John Dewey et de 48 entretiens approfondis avec des travailleurs-membres de SMart, les auteurs examinent comment SMart peut être considérée comme un exemple d'expérimentation institutionnelle démocratique offrant une capacité collective à ses travailleurs-membres dans la recherche d'un meilleur travail.

### **Zusammenfassung**

Der vorliegende Artikel beschreibt ein von SMart in Belgien initiiertes Experiment. SMart ist eine Kooperative, die zur Unterstützung freier Künstler gegründet wurde, inzwischen auch die Interessen anderer Freiberufler wahrnimmt und zum Ziel hat, sie bei der Reduzierung von vier Unsicherheitsfaktoren zu unterstützen, von denen diese Berufsgruppe besonders betroffen ist. In den vergangenen zwanzig Jahren hat sich SMart für einen umfassenderen Zugang zu Systemen der sozialen Absicherung für diesen Personenkreis eingesetzt und mit neuen Strategien auf die sich ändernden gesetzlichen Bestimmungen des belgischen Bundesstaates reagiert. Inzwischen wird mit einer Vielzahl unterschiedlicher Serviceleistungen und neuen Beschäftigungsformen experimentiert. Charakteristisch für SMart ist jedoch die Ambition, im Rahmen des Modells der Kooperative für die Mitglieder, die von der staatlichen Politik ansonsten ignoriert werden, eine Schutzfunktion zu übernehmen. Auf der Grundlage qualitativer Forschungen nach der Deweyanischen Perspektive und 48 Tiefeninterviews mit Freiberuflern, die auch SMart-Mitglieder sind, untersucht das Autorenteam, inwiefern SMart als Beispiel für ein demokratisches institutionelles Experiment angesehen werden kann, das in kollektiver Weise seinen berufstätigen Mitgliedern die Fähigkeiten für ein besseres Arbeitsleben vermittelt.

### **Keywords**

Freelancers, platform economy, social protection, good work, decent work, worker cooperative, organising, collective capability

### **Introduction**

Precarious work and grey zones of employment are expanding (Bureau and Dieuaide, 2018; Supiot, 1999) in the labour market. This article examines SMart, a 'cooperative of autonomous workers' in Belgium, as a case of institutional experimentation, an attempt to provide an original response to a category of workers strongly affected by four sources of uncertainty (see below) marking the collapse of the Fordist regime (Boyer, 1987). After decades of neoliberalism, the transformations caused by these uncertainties are undermining the already feeble resources available to workers (Arthurs, 2010; Crouch, 2014; Stiglitz, 2019) to defend their rights, particularly workers in the grey area of employment. Using the data we collected, we analysed SMart as a form of institutional experimentation that offers workers the collective capability to reduce the various forms of uncertainty affecting them, chiefly, income instability (Section 4), lack of access to the benefits of the Belgian social security system (Section 5), the quest for expressivity

and autonomy in their work (Section 6) and the disruptive presence of technology in their work (Section 7).

SMart was launched as a non-profit organisation (SMart asbl, *association sans but lucratif* in French) in 1998 by freelancers in the arts. In 2017, to strengthen participation of its users and its responsive commitment to them, SMart created a member-owned and -governed cooperative to run its various legal entities. This cooperative is now part of the global Platform Cooperativism movement (Scholz, 2016). As the platform economy develops, further commodifying and standardising work (Abdelnour and Méda, 2019; Rosenblat, 2018), SMart seeks to support freelancers working in almost any industry, offering them a measure of income and employment stability, along with career development tools. Its work resembles an experiment in ‘eroding’ (Wright, 2010) capitalism from the inside, supporting the traditional ends of the labour movement – economic security, political equality, and solidarity for all, including future generations – by upholding the ‘very idea of democracy at work’ (Hyman, 2016) through democratic experimentation (Charles et al., 2017).

We begin by describing the framework of our collaborative and participatory research at and with SMart in the Deweyan tradition (Section 2), along with SMart’s history and its proprietary tools (Section 3). We then examine the role played by SMart in reducing uncertainty in the lives of its members as perceived by its worker-members, discussing how major sources of uncertainty have disrupted the regulation of work, and how SMart equips its worker-members to respond to these. The last section (Section 8) identifies some major challenges facing worker cooperatives today.

## Democratic institutional experimentation as a theoretical framework

While several studies of SMart and its worker-led initiative exist, none examine the organisation in terms of institutional experimentation (or the potential to engage in it). Beuker et al. (2017) (and also Xhaufclair et al., 2018; Lorquet et al., 2018) have treated SMart as an institutional player, positioning it as a labour market intermediary; Drahokoupil and Piasna (2019) have mainly analysed how its support has positively affected a small category of its (former) worker-members, Deliveroo riders. Such approaches to SMart reflect the two standard focuses of literature on self-employed, freelance, gig or project workers: first, the ‘precarious’ conditions of their work and employment (see Doellgast et al., 2018; Kalleberg, 2009) and their legitimate claims to labour protections (De Stefano, 2016); and second, institutions active in the triangulation of labour relations, including trade unions, associations and cooperatives (Benassi and Dorigatti, 2015; Bureau and Corsani, 2018; Gumbrell-McCormick 2011; Heckscher and Carré, 2006; Heery and al., 2004). The role of such institutional and organisational configurations is an under-investigated field. Valenduc (2017: 5) was the first to highlight the fact that SMart members ‘manifest, through their affiliation to a cooperative, a need for collective action’, but he did not describe how exactly the cooperative helps strengthen their agency.

By contrast, our qualitative analysis illuminates the *collective capability* that SMart’s institutional *experimentation* makes possible, exploring its most salient dimensions according to its members. We lean on Amartya Sen’s concept of *capability* (Sen, 1992, 1999), but rather than considering it solely at the individual level, we recognise its fundamental origins in the collective. While the collective basis for individual human freedom has been largely neglected in liberal thought – and even more so in the neoliberal era (Bonvin, 2012) –, it is this concept of ‘collective capability’ (Ferreras, 2008, 2012b) that matters to us here. It orients our analysis toward the fact that, invariably, a fundamental part of *individual* capability can be directly

attributed to the way individuals are linked to other individuals, and to mechanisms put in place at the *collective* level (rights, organisations etc.). From within Sen's definition of *freedom*, identifying the collective dimension of capability is crucial as it plays a direct role in determining the extent of a person's individual capability 'to pursue the project that he or she values most'.

We use the word *experimentation* to describe a process of trial and error, the goal of which is to find an arrangement that reduces uncertainty. John Dewey, the pragmatist philosopher and educational reformer, theorised about this process as early as the beginning of the 20th century, grounding it in his observation of collective and individual human learning processes: faced with a novel situation or increased complexity where traditional approaches prove inefficient, individuals must craft a new way forward together (Dewey, 1906, 1916, 1927). Experimentation is thus epistemological before it becomes political: experiments are necessary to navigate life's inevitable uncertainties. For Dewey, however, experimentation could also be a political response: he believed that only the use of collective imagination in a similarly reflective way allowed society to progress – both in the goals it set for itself and in the ways it chose to achieve them. This thinking led to the idea of *experimentalism*, an institutionalised form of experimentation. By observing how different public and private organisations tackled the problems they encountered, Sabel (Cohen and Sabel, 2006; Sabel, 2001, 2006, 2012) confirmed that an experimental approach was a decisive factor in the path to success, and in particular to the success of democracy. Unger (1987, 1998) showed that experimentalism could restore faith in the potential of human-made institutions, including democracy, if it abandoned the myth of 'false necessity', i.e., the idea that any list of possible political possible arrangements could be exhaustive. In the case of SMart, the cooperative legal form facilitates this democratic experimentalism: its 'public' (i.e., its worker-members) gather with its permanent staff in the General Assembly to identify and to build answers to the problems they face as freelancers. Working with a committee that included three SMart managers, three staff members and three worker-members alongside our team of researchers, we tailored a research approach from a Deweyan perspective on democratic experimentation that sought to ensure the research questions made sense within the cooperative as well as outside. The committee met six times over 18 months to provide feedback on each research report, and to help identify the role played by SMart in the life of its main addressees in the democratic experiment, SMart's *public: its worker-members*.

We propose that a case of institutional experimentation be considered democratic if it succeeds in helping reduce different forms of uncertainty in the life of its *public-members*, through involving its members in various forms of deliberation, bargaining, and experimentation<sup>1</sup>, and that the success of such experiments can be assessed against this criterion at both levels of process and substance. The data we collected from interviews with SMart worker-members helped us identify which sources of uncertainty they see SMart alleviating, particularly in comparison to their relations with capitalist platforms which not only do not seek to help workers address sources of uncertainty (except, for some, with respect to revenue), but actually actively increase uncertainty (Abdelnour and Méda, 2019; Rosenblat, 2018).

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1 On the three dimensionalities of the democratic exchange, see De Munck and Ferreras (2012).

## The case study: the SMart cooperative in Belgium

The Société mutuelle des artistes (SMart) was launched in 1998 as a Belgian non-profit organisation by a music industry professional and an engineer. Their goal was to support arts freelancers by finding ways for them to maintain their work independence, but with access to the social security benefits and entitlements standardly provided to wage-earners<sup>2</sup>. To do so, SMart took on the role of the employer as regards social security obligations. They also sought to ease the administrative burden associated with freelancing and project-based work. Where traditional approaches had proven inefficient, SMart sought new solutions for its workers in what may be described as an institutional experimentation, developing an array of services and exploring different legal options. These were often modified, frequently in response to reactions from the relevant public agencies in Belgium. Today, as the ‘working artist’ model of freelancing has spread well beyond the arts (Boltanski and Chiapello, 1999; Menger, 2003), SMart acts as an employer for self-employed people working in many different fields. In 2017 it became a worker cooperative, of which all its active users<sup>3</sup> are members, meaning they are called on to attend annual general meetings and are represented on the board. SMart’s Belgian and French entities together achieved a turnover of €190m in 2018. All profits are reinvested in SMart, as there are no dividends paid to the investors, nor share appreciation.

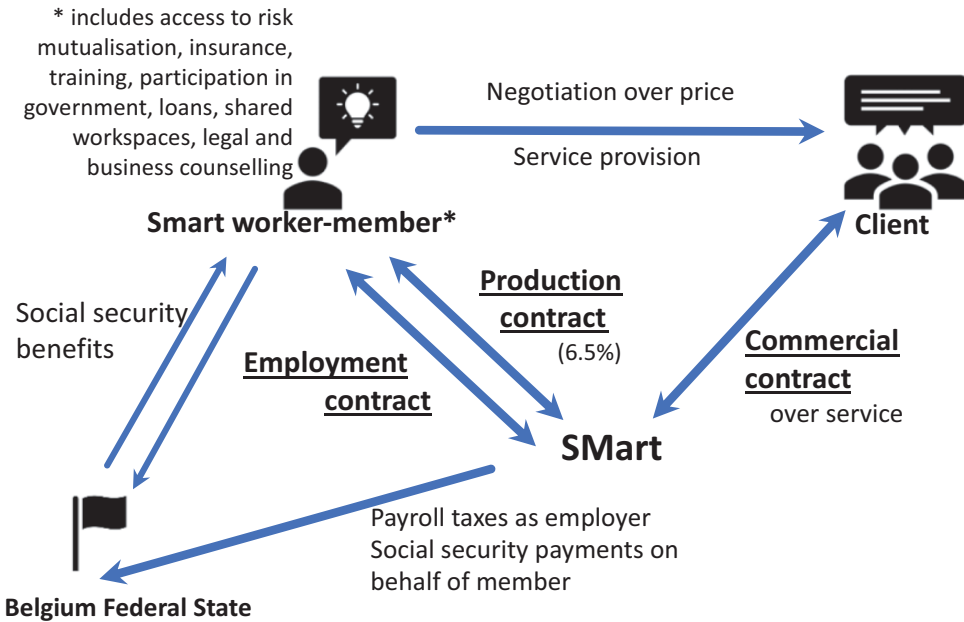
### SMart’s Contracting Tools

As Figure 1 shows, SMart Belgium and its members enter into a variety of contracts. Members negotiate their services directly with their clients, who are then billed by SMart, which in turn pays its members for the work they do, under an employment contract established between SMart and the member. SMart thus offers an ad hoc legal arrangement along with many services in exchange for a fee amounting to 6.5 per cent of the ex-VAT amounts invoiced to clients and reported to SMart. From these amounts, SMart deducts the payroll taxes and social security contributions owed by both the employer and the employee, paying them to the Belgian state. SMart pays its members within seven days of their work, even if the client is late with payment or fails to pay altogether. In the event of problems with the delivery of the service or production under contract, SMart may step in to exercise the authority of an employer over its member: this complex bundle is what lies behind SMart’s ‘contract tool’ (*outil contrat*).

As employees, SMart members are covered by certain legal entitlements under Belgian labour law (the minimum wage, minimum working hours, etc.) and the Belgian social security system (*régime général de sécurité sociale*): their work days count towards unemployment benefits, and they are insured through SMart against workplace accidents (contractually extended beyond the workplace). Other services include payment within seven days, legal aid, training, loans, grants, advances (on salary or expenses) and foreign travel insurance (medical costs, repatriation and assistance). More original, the ‘Business Tool’ (*outil activité*) allows members to channel

2 After the First World War, Belgium established a public system that links an employment contract to access to social security benefits (unemployment, healthcare, pensions). These benefits are thus not dependent on an employer, but are provided by the state on the basis of the existence of an employment contract. An example of coordinated market economies (Hall and Soskice, 2001), Belgium is organised through the mobilisation of ‘social partners’ – employer associations and trade unions – in a system of collective bargaining at sector and cross-sector levels.

3 Users are considered to be active if they sign a minimum of three contracts per year using the ‘Contracts’ tool or one contract per year via the ‘Business’ tool.



**Figure 1.** Smart's contracting tools as a bundle of contracts.

Source: Adapted from SMart internal documentation.

different sources of funding into a single budget, which they manage themselves, setting money aside for their own salaries, covering indirect operating expenses such as training and equipment, or paying third parties for services. For this, SMart members must sign an additional contract with SMart, making SMart the main producer of their business activity and the member an associate producer. At the same time, they receive personalised support from a permanent staff member and have access to cooperative financing in the form of in-house lending options to help them purchase materials.

### *The structure of SMart's population*

SMart's membership leapt from 50 members on its creation in Belgium in 1998 to 1000 in 1999. This number swelled to 10,842 in 2008 and to 20,370 in 2018 in Belgium. Over this period, the structure of the SMart population changed: initially focused on artists, the number of worker-members working on an artistic employment contract was 64 per cent in 2008, but had dropped to 36 per cent by 2018.<sup>4</sup> That year, 13 per cent were employed under both artistic and non-artistic contracts, while 51 per cent had nothing to do with the arts.

4 The 'artistic field' is broad. We opted for a simple legal criterion: whether or not the user is assigned an 'arts' code in the Belgian social security system (covering the creation, performance, or execution of a work of art, including associated technical fields). This code is applied either when the SMart member selects an artistic profession when entering an activity or contract in the system, or when they choose to establish an 'arts contract'.

**Table 1.** Structure of SMart's workers in 2008 and 2018.

Year	Number of workers		Average hourly gross salary		Number of days worked	
	2008	2018	2008	2018	2008	2018
<b>Infrequent workers</b>	<b>5422</b>	<b>10,890</b>	€17.1	€20.8	<b>30,063</b>	<b>55,053</b>
	<b>(50%)</b>	<b>(53%)</b>				
- mixed	230	717	€17.8	€20.8	1687	5244
- only arts	3347	4166	€17.3	€21.7	14,806	18,892
- only non-arts	1845	6007	€16.4	€20.2	13,570	30,917
<b>Occasional workers</b>	<b>3653</b>	<b>663</b>	€16.1	€18.5	<b>101,737</b>	<b>178,762</b>
	<b>(34%)</b>	<b>(30%)</b>				
- mixed	450	1163	€16.9	€18.9	13,323	34,804
- only arts	2425	2200	€16.2	€18.5	62,863	60,779
- only non-arts	778	2800	€14.6	€18.2	25,551	83,179
<b>Regular workers</b>	<b>1767</b>	<b>3317</b>	€15.2	€16.6	<b>187,184</b>	<b>382,408</b>
	<b>(15%)</b>	<b>(16%)</b>				
- mixed	282	779	€15.8	€16.8	28,361	86,515
- only arts	1153	985	€15.0	€16.7	121,148	102,107
- only non-arts	332	1553	€14.6	€16.4	37,675	193,786
<b>Total</b>	<b>10,842</b>	<b>20,370</b>	€16.4	€19.3	<b>318,984</b>	<b>616,223</b>

Sources: SMart and authors' presentation.

**Table 2.** Percentage of women in each category of workers in 2008 and 2018.

Year	Mixed		Only arts		Only non-arts		Total	
	2008	2018	2008	2018	2008	2018	2008	2018
Infrequent workers	40	42	39	42	54	47	44	45
Occasional workers	40	40	37	40	53	49	41	44
Regular workers	32	35	33	34	49	45	36	40
Total	38	39	38	40	53	47	42	44

Sources: SMart and authors' presentation.

Alongside the type of work, a second dimension is used to categorise SMart membership: frequency of use, measured as the number of days members work through SMart each year.<sup>5</sup> We built three categories from this criterion: workers who average less than one day of SMart work per month (*infrequent workers*), one day a month to one day a week (*occasional workers*), and more than one day a week (*regular workers*). Table 1 shows how the capacity to pay oneself a salary (above the minimum legal wage) evolved in these categories from 2008 to 2018. Table 2 indicates the proportion of women within each category. As the tables show, membership doubled between 2008 and 2018, with the proportions of the three categories remaining stable (for which the authors have no explanation).

5 Number of distinct days covered by employment contracts, including working days shorter than 7 hours 36 minutes, the statutory daily working time for full-time contracts in Belgium.

Since 2008, all workers in all categories have averaged more than the €14 living wage currently called for by the socialist union, ABVV-FGTB. Nevertheless, income paid through SMART was *never* the sole source of income for our interviewees. SMART contracts can coexist with salaried employment, with remuneration from volunteering, with state unemployment benefits or with other household income. Since 2015, SMART has offered open-ended employment contracts to members who bill sufficient hours via SMART per year. In 2018, 26 members had such open-ended contracts (either full or part-time). Internally, SMART operates with a permanent team of staff. Its headcount in Belgium reached 86 over the course of the first decade of its existence. In 2018, SMART's French and Belgian teams merged, bringing the total headcount up to 261.

### *Interviewee sampling*

In the course of our qualitative study, we interviewed 30 members of the permanent staff and 48 French-speaking worker-users between February and July 2017. Our sampling of members was established in line with the two criteria explained above: intensity of use and type of contract. For each of these six types of workers, we interviewed eight members. 46 per cent of interviewees were women. Half lived in Brussels, the other half in Wallonia. Average duration of their SMART membership was eight years; and the average age was 42. At least three-quarters of them received unemployment benefits, at various rates. Investigating their individual economic circumstances was beyond the scope of this qualitative research. Not collected by SMART, such data are crucial for future research if the aims voiced by SMART and its members are to be accurately measured against the realities of their life situations.

All quotations cited in Sections 4 to 7 come from SMART members we interviewed.

### **Collective capability to secure more stable income**

On the basis of our 48 SMART worker-user interviews, we have analysed SMART as a case of institutional experimentation aimed at providing collective capability to workers to help reduce four forms of uncertainty affecting them: income instability (below); lack of access to the Belgian social security system and its benefits (Section 5), the quest for expressivity and autonomy in their work (Section 6) and the disruptive presence of technology in their work (Section 7). We did not identify any specific profiles among our interviewees with regard to these four sources of uncertainty: they all seem to face them, and they all value SMART for enabling them to counter them. Although international organisations and scholars label certain forms of employment (fixed-term work, part-time work, multi-party employment relationships) as 'atypical', such forms were perfectly typical for our interviewees, along with their attendant income instability. SMART offers help to its members to reduce this uncertainty: members maintain control over their work relationships until a contract is established between SMART and a potential client. As soon as the client approves the member's quote for a specific assignment, SMART steps in as the member's employer, thus securing the member's income from the project by signing a contract with the client. SMART's wage fund (*fonds de garantie salariale*) guarantees members' incomes, reliably paying members within seven days of contract completion. SMART's goal in this 'shared enterprise' (*entreprise partagée*) is to provide greater income stability to its members. This contrasts with the experience of many freelancers and independent workers today, who experience endlessly fissured workplaces (Weil, 2014) where employers hire freelancers to reduce the fixed cost of hiring regular staff, and at worst strategically divide up working groups by using subcontractors and multiplying companies and subsidiaries within transnational networks. SMART is also able to exert more effective pressure on



clients not honouring contracts than a single member would, while collectivising the risk of clients defaulting on payment. As a collective undertaking contributing to providing workers with the capability to earn a living in a reliable way, by facilitating the payment process, SMart may be considered a ‘collective capability’.

This is particularly true in cases where members do not work directly with their clients but through intermediaries – e.g. delivery or translation platforms, language schools, etc. (see Lomax, 2019) – that extract economic rent and assert the right to oversee their work and where members have little say in the rates they charge. In such situations, SMart makes it possible for members to require intermediaries to comply with legal wage floors and the three-hour minimum for billable work time. This was likely the case with Deliveroo bike riders, no doubt because so many were SMart users.<sup>6</sup> At the same time, it is possible that platform workers might mobilise SMart’s services in ways leading to ‘misuses’ of SMart (see Section 8).

Many members using the ‘Business Tool’ reported making ‘concessions’ (e.g. in the quality of a contract or client) that allowed them to work later on other projects they preferred, seen as investments towards the goal of striking a ‘balance’ between financial considerations and creative ambition. For such workers, the ‘Business Tool’ helps them change their status from a mere service provider to ‘autonomous worker’, ‘producer’ or member of a ‘shared worker enterprise’. Worker-members in the cooperative are ‘reconstructing the firm’ (Ferrerias, 2017), building a capability to secure greater income stability and autonomy.

## Collective capability to achieve some employee status

SMart enables members to meet the legal conditions of employee status by providing the appropriate ‘qualification’ (Thévenot, 2016) for their intermittent and successive work. This accounts for the term ‘*secrétariat social*’<sup>7</sup> used by a quarter of our interviewees. By grouping their professional activities and projects into employment contracts, the cooperative helps them reduce the uncertainty they face by providing them with access to various employee-related rights and entitlements.

Users thus expect SMart to provide answers to questions that arise when they attempt to fit their work into the legal system’s ‘tick boxes’. Users seem to be generally satisfied with the quality of this service. As one member explained, ‘It gives me the opportunity to really concentrate on my work, with the rest going through SMart’. Users perceived SMart as a means for achieving professional goals, and even praised SMart’s work as ‘creative’ as it endeavours to ensure that professional activities carried out in a kind of legal grey area – or slipped ‘under the table’ in the shadow economy – enter into compliance with the law. In this sense, SMart meets a vital need, a ‘demand’ from so-called *atypical* workers not met yet by the public authorities: filling ‘a big vacuum’ by providing people whose work does not fit into ‘tick boxes’ access to some employee status.

As long as its members declare a sufficient volume, SMart’s efforts to qualify their work in this specific way allow members to access or maintain social security benefits reserved to employees. Contrary to the idea that this is indicative of a kind of ‘unemployment trap’ or ‘poverty trap’ that would cause users of SMart’s services to remain in various states of dependence, social security benefits were described by SMart worker-members as a ‘resource’ as they built their careers, allowing them to avoid signing just any contract that came their way, for any service or at any

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6 For a more detailed analysis, see Charles et al. (2018).

7 Translator’s note: this is a term specific to Belgium and refers to organisations that help businesses with administrative tasks related to the management of labour and labour entitlements.

price, regardless of its impact on their overall career goals. Built through SMart, this capability transforms unemployment benefits into a tool that members reported allowed them to ‘make [ones]self-respected’, to choose more ‘interesting work’ and to – at least partially – shift the relationship of dependence that sometimes exists between them and their clients.

The autonomy and the freedom worker-members seek in their work are made possible by the very nature of SMart as a case of institutional experimentation. The contracts they establish using SMart’s tools offer hope of securing not just a more reliable income, but also employee status; as long as they have declared the legally sufficient number of days, they have access to social security benefits. Without SMart, the autonomy experienced individually by users in their work would be far more fragile, and in some cases even impossible.<sup>8</sup> Moreover, SMart acts as a mediator and representative between users and business, political, administrative and legal players. As one member stated, ‘when there’s an audit, SMart steps in [. . .]. You don’t feel like you’re alone facing the administration’. The roles of mediator and representative are attributes associated with an emerging collective actor.

### Collective capability for autonomy and meaning at work

Whether or not they had worked in ‘meaningless’ jobs before, interviewees wished to carry out a ‘personal project’ through SMart, considering this ‘impossible’ in a traditional employment setting. This ambition was not primarily described as an issue of ‘ownership of the means of production’, to use a Marxist category; rather, their concerns had to do with regaining ownership over the meaning and ends of their work (Ferrerias, 2007; Méda and Vendramin, 2016). The employment contract as used by SMart diverges in spirit from the Belgian law of 1978, which defines an employment contract as one ‘by which a worker, the employee, agrees, in exchange for remuneration, to provide primarily intellectual work *under the authority* [. . .] of an employer’.<sup>9</sup> In the labour relationship as defined by Belgian law,<sup>10</sup> the employer is in charge of the *government* of work – of its ends – as well as its *governance or management* – which includes practical aspects and execution (Ferrerias 2012a, 2017). It is striking to compare the heteronomy characterising the governance of work in the capitalist regime with the ambition for autonomy upheld by SMart’s worker-members.

The desire to have ownership of their work expressed by interviewees was manifested in their will to set the tasks to be carried out, to have a say in the way they were executed, and to manage the order in which they took place. With reference to the ‘liberated’ or ‘freedom-form’ company movement (Carney and Getz, 2009), this is what we might call freedom *in* work. What it means, in practical terms, is a dismantling of the barrier between work planning and execution, a cornerstone of Taylorism (Sabel, 1994). Instead, workers’ intelligence and initiative are valued in the execution of the tasks for which they are responsible,<sup>11</sup> qualities that can also be put to work in reorienting the ends pursued in their work. For SMart’s users, working consists of pursuing an activity that is important in and of itself, as this member explained: ‘each time is a production, along with a highly

8 Here lies an interesting avenue to imagine how project-based coaching by public employment agencies (‘projectification’) could serve emancipation rather than precariousness. See Greer et al. (2019).

9 Art. 3, Law of 3 July 1978 on employment contracts.

10 Art. 17, 2°, Law of 3 July 1978 on employment contracts.

11 In liberated or freedom-form companies, a worker’s freedom is limited to the means she or he chooses to implement to reach ends that she or he did not help to determine. Determining those ends remains the prerogative of the executive board, which acts in the name of the company’s shareholders. By contrast, SMart’s worker-users are able to determine the ends of their work themselves, which is why we describe them as *independent*. SMart’s permanent staff, it should be noted, work within a traditional subordinate labour relationship.

enjoyable element of satisfaction if the work is done well'. At first glance, and even according to the literature on work (Crawford, 2009), this observation might seem to concern only manual labour, but it is much more broadly applicable, and extends to work characterised by a service relationship: 'I like what I do because I feel I am useful to the people I work with', another member declared. SMart's member-users seek to reclaim the power to organise their time and the content of their professional activities, rather than to reduce the actual quantity of their working hours as the focus of classic labour economics balancing work input against leisure continues to hold (Charles and Ferreras, 2017).

This substantive evaluation of the work activity and its perceivable effects depend on workers having power over the connection between the planning and the execution of their work, knowledge and action, autonomy (setting their own rules) and freedom (implementing them in their own way), government (the power to set ends) and governance or management (the power to determine the means to be implemented to realise the ends). For interviewees, working was not a matter of implementing a plan whose terms had been thought out and set by someone else, but rather of carrying out a project defined by negotiating with a customer or client who is a kind of 'partner' in the work. This ambition requires a certain distance from the task to be carried out, and time to (re)think its design, so that it can be reoriented if necessary. Corsani and Lazzarato (2008) have argued that, if appropriate conditions of stable revenue are met, non-salaried or freelance work (discontinuity of contracts or services) has the potential to be a condition for workers to gain ownership over the meaning of their work. It may even, in periods between jobs, enable them to explore new career possibilities. In our study, it appeared that a sense of ownership of the meaning of work was experienced in the act of working, derived from a quality intrinsic to the work.<sup>12</sup> Working, according to our subjects, should be 'interesting' or 'fun'; it should 'give something' to the worker, help them 'to grow', allow them to be 'fulfilled' or 'to learn'.

## **Collective capability to face the disruptive nature of technology**

The growth trajectory of large technology firms and online platforms has put a question-mark over the potential of digital technologies to work for workers' interests and help them flourish (Degryse, 2016; Valenduc and Vendramin, 2017). This, along with the fissuring of the workplace, has had deleterious effects on working conditions and worker well-being (Roberts, 2019). SMart's services are organised through a digital platform that allows users to enter and access information on their business activity – an instance of technology working for and not against worker needs. Here, SMart has been visionary in developing its own digital tools, not only internally to process its own data, but also in its interface with members.<sup>13</sup> By providing them with what was essentially a set of administrative services, SMart hoped to relieve them of the 'dirty work' (Hughes, 1962) – all those administrative and accounting tasks which take time away from their actual vocations and from developing their business.

SMart's investment in digital technology attempts to automate this 'dirty work' and helps the 'shared enterprise' master its own growth. These online tools also ensure a certain level of

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12 Here, it is important to note that we realised that more than 10 per cent of our interviewees began working with SMart after a burnout, and see the cooperative as a workspace in which demands for profitability and pressures regarding the standardisation of work are at least partially suspended (as long as at the same time they have recourse to unemployment benefits or other sources of revenue, elements of which the present study is unable to offer any kind of systematic evaluation).

13 The 'Business' Tool was actually 'invented' by a SMart worker-member.

standardisation: SMart members can only enter their services into the system if they are in compliance with legal and other standards. In the event of any problem, SMart staff are always at hand, via email and other means. Users are never required to visit SMart offices in person, even if they are often invited to do so, for problem-solving appointments, information meetings or parties.

The uncertainty created by the use of digital technology in the work context is best exemplified by the rise of the gig economy. Here too, SMart has found itself caught up in the turmoil of this new era. In 2013, some SMart worker-members began using SMart to invoice Take Eat Easy (TEE), a Belgian cycle food delivery platform that paid per delivery and following a bonus system. SMart's services allowed them to meet minimum legal thresholds for salaried work. In 2015, Deliveroo entered the Belgian market, offering hourly wages. TEE soon followed suit, whereupon both platforms began progressively reducing pay. The 100-odd couriers working through SMart in 2015 began struggling to generate sufficient income to cover their salaries: the only way they could meet the minimum legal threshold for salaried work was to claim fewer hours than they had actually worked for the pay they received.

In response to this 'humanitarian crisis', which at the time did not seem to be raising any concerns among other social players, SMart negotiated with the platforms in an attempt to learn how much work was actually being done by the couriers. Its goal was to obtain automatic and direct transfers of the data concerned from the platforms. In May 2016, SMart signed a commercial agreement with both of them (TEE and Deliveroo), obliging them to respect some of the more basic rights guaranteed under Belgian labour law: the right to be paid for no less than three hours' work at a time, an hourly wage floor, declaration of all work to social security, with attendant access to benefits, work accident and injury insurance, compensation of the use of personal telephones and bicycles for work purposes, road safety training, etc. Take Eat Easy declared bankruptcy in July 2016, and SMart, as the couriers' employer, paid their wages for July, and bore the cost of their employees' social security contributions . . . without ever being compensated by TEE. It cost SMart some €340,000 to exercise its role as employer and ensure members were paid for the work they had performed.

One month later, Deliveroo linked the app which its couriers used to record deliveries to SMart's information systems, allowing data to be transferred between them automatically. SMart continued its efforts to structure the couriers' interests with regard to the platform and, in early autumn 2017, negotiations began between Deliveroo and the Collectif des coursier.e.s, the couriers' collective which SMart had been instrumental in organising. SMart also actively sought to involve Belgium's two main unions, with the goal of establishing a collective bargaining agreement that could serve as a framework for negotiating a new commercial agreement with Deliveroo. The beginnings of the structuring of workers' expectations of emancipation and autonomy thus became discernible. However, in October 2017, Deliveroo unilaterally ended negotiations, seemingly fearful of what was in the making: collective bargaining with recognised unions. Strengthened by the legitimacy gained from the federal government's support of Deliveroo-style platforms, Deliveroo unilaterally forbade its couriers to work with SMart from 1 February 2018 onwards.

Under the Belgian law on the so-called collaborative economy, Deliveroo couriers must now work via ad hoc contracts which explicitly bar them from access to any kind (as employee but also as self-employed!) of social security benefit.<sup>14</sup> Their workload has since

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14 Programme Law of 1 July 2016, section on the collaborative economy, and Law of 18 July 2018 regarding economic stimulus and the reinforcement of social cohesion. The latter was annulled by the Belgian Constitutional Court in April 2020.

increased, as has their economic and administrative insecurity. Furthermore, Deliveroo has reverted to payment per delivery, with the platform gradually reducing rates, again unilaterally. In a similar vein, couriers are not privy to the ins and outs of the scheduling system. The platform has also refused to recognise the couriers' collective. Drahokoupil and Piasna (2019: 39) have affirmed that 'by abandoning the SMart system, Deliveroo gained greater autonomy and control at the expense of protections for workers'. As a result, workers have lost what weak capability for autonomy they had, as well as control over their working conditions. In the summer of 2019, the ACV-CSC union launched a union response to the platform economy inspired by SMart's ultimately failed attempt to organise the couriers, creating a service to represent 'the solo self-employed' as a legitimised bargaining partner. How workers and platforms will respond, and how SMart will (or not) develop synergies with this new union-based response remain an open question.

### **Collective experimentation for better or worse work?**

SMart was not created in a historical or a social vacuum. Belgium is known as a country with a solid system of industrial relations, a long history of trade unionism, and statutory labour and social security institutions. Nevertheless, the rise of so-called 'atypical' forms of work has not been counterbalanced by an institutional effort to build solutions and solidarity for new categories of workers, despite their ever-increasing populations. The not-for-profit dimension of the SMart experiment has always received more attention than its cooperative dimension. As Trentin (2012) explained, issues of work organisation and work ends have been abandoned by trade unions and socialist parties, with their focus instead on the management of the Keynesian-Fordist compromise with a distributive conception of justice (Fraser and Honneth, 2003). Trentin quotes Simone Weil's dizzying formulation: 'if we were to take over the factories tomorrow, we wouldn't know what to do with them – sooner or later, after a moment of uncertainty, we would be forced to organise them as they are now' (Weil, 1951: 216). A critical criterion for better work has to be whether workers have voice in work organisation and the ends that define what they do – what we call *government*. Note that SMart's permanent staff is unionised and has its own works council. SMart's ability to build bridges with established unions and unions' willingness to engage with SMart will determine their joint capability to deliver truly better work for members, and workers in general.

While SMart users' expectations of their work are more than instrumental, the instrumental dimension is present nonetheless: for our interviewees, working was also a way to make a living. However, what emerged in the interviews was that they had little desire to find ways to maximise income as a source of purchasing power. Instead, SMart worker-members spoke of the capability to choose the kind of life they wished to live, and therefore the capability to generate a baseline '*minimum income*' making this possible. In French, this term has a dual meaning. It can also refer to Belgium's official guaranteed monthly minimum wage. SMart's online tools do not allow users to enter hourly rates below the hourly equivalent of this minimum wage. As freelancers, however, they negotiate prices for delivering their products or services, not wages or working time. Consequently, SMart offers its members training in topics such as 'Setting the right price'. At the same time, 'minimum income' indicates the amount members require to cover their basic needs, and in this sense their attitudes toward income seemed expressive, rather than strictly instrumental: interviewees did not seek to maximise or accumulate revenue, but rather to use it for ends they defined themselves. What emerged from their responses was a certain understanding of

*prosperity* that includes awareness of the limits of the consumerist model and the possibility of respecting the planet's needs.<sup>15</sup> The question of better or worse work will increasingly be connected to, and dependent on, the goal of sustainable development, understood in the context of a quest for 'shared prosperity'.

It is possible for clients to instrumentalise the tools provided by SMart, and, to a lesser degree, for SMart members seeking to avoid their obligations with regard to labour law to do the same. These are what may be termed 'misuses' of SMart, as they will lead to worse work overall, for members and non-members alike. It is important for SMart to find ways to identify, assess, and deal with such situations running counter to its goals. The case of platform workers stands out here. SMart, having identified a potential misuse of its tool, organised bike couriers and experimented with fledgling forms of social dialogue to take account of their instrumental and political interests. This kind of initiative would have the most impact if undertaken in partnership with unions, which would be able to help assess SMart's position in various industries and identify more or less desirable outcomes. Ultimately, in terms of better or worse work, the outcomes of SMart's worker-led democratic institutional experiment will depend on SMart's ability to build bridges with established unions – and unions' willingness to engage in meaningful dialogue with SMart. Here, the role of the state cannot be overemphasised. If experimentation failed for Deliveroo bikers, it was because of a political choice made by the Belgian government to support the gig platforms instead of the workers they employ, helping these firms to pursue the strategy of '*reduction ad Corporationem*' (Ferrerias, 2017), i.e., dismantle the firm, evade collective bargaining and free themselves completely from labour law.

By opting to become a worker cooperative, by deciding not to offer returns on capital investment, and by providing access to the government of the firm for its active worker-members, SMart is seeking a form of government that allows it to be structured institutionally in ways in keeping with its goal of building a collective capability for security and autonomy. By delegating to its worker-members the power to decide which service or product they choose to exchange in the market, SMart makes it possible for them to enjoy autonomy in the management and the individual organisation of work. Every day, our democratic society loses a little more ground to the power of huge transnational corporations, as well as to extremism and xenophobia. If we wish to strengthen and deepen our democratic commitment, it is necessary to examine the issues of work and employment in political terms – what right do workers have to define and organise their work by participating in the management and government of their own work? – rather than merely economic ones – what remuneration? (Coutrot, 2018; Ferrerias, 2017). In this absence of meaningful state responses to these various forms of uncertainty and in line with other trade union and civil society initiatives currently underway (Charles et al., 2017), SMart constitutes an interesting case of a democratic institutional experimentation, providing its members with a collective capability to face the many sources of uncertainty affecting workers. Without it, the capabilities enjoyed at individual level by its worker-members would not be possible. SMart is attempting an experiment that should be evaluated, subjected to constructive criticism and improved in order to help it evolve toward its goal of combining the protections of wage work with the autonomy befitting an emancipated citizen, capable of participating in governing the conditions of his or her

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15 While interviewees did not complain about their income, a few clearly articulate convictions relating to curbing consumerism or degrowth. See the perspective on *prosperity* developed in a body of work concerned with sustainable development for humanity and for the planet (Cassiers, 2015; Jackson, 2016; Méda, 1999, 2013).

life at work and elsewhere. Only time, and, significantly, the attitude of the other organised actors and the state, will tell whether SMart is truly capable of fighting the overall ‘disintegrating [of] democracy at work’ (Doellgast, 2012).

### Author note

To reflect their commitment to the idea of the incommensurable contribution of each individual to the collective output, as well as their commitment to the democratic nature of (their own) work, and of their scientific practice, the authors are listed in alphabetical order.

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