



## Ethical anarchism, business ethics and the politics of disturbance

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### Introduction

Milton Friedman famously said ‘there is one and only one social responsibility of business – to use its resources and engage in activities designed to increase its profits’ (Friedman, 1962: 133). The sole moral limit to this freedom was for corporations and their executors to conform ‘to the basic rules of the society, both those embodied in law and embodied in ethical custom’ (Friedman, 1970: 32) and to do so ‘without deception or fraud’ (Friedman, 1962: 133). Friedman was of course not just issuing a scholarly commentary, his ideas came to be ‘crystallized into a coherent and powerful message of political and economic reform’ that has resulted today in the political and economic dominance of ‘a guileless faith in the efficiency of free markets and their virtues’ (Jones, 2012: 89 and 19). At play here has not only been the expansion of market rationality to all spheres of social, political and economic life, but also the establishment of an ethical position that configures ‘morality entirely as a matter of rational deliberation about costs, benefits, and consequences’ (Brown, 2003: 15). This is a market morality that sees the pursuit and enactment of market freedoms by individuals and corporations as something that is righteous.

Nowhere has the reality of this market morality been more starkly illustrated than in Google Inc.’s tax dealings in Britain in recent years. Instead of paying the standard 20% corporation tax on its US\$18 billion UK revenues between 2006 and 2011 Google paid just US\$16 million; less than 0.1% (Public Accounts Committee, 2013). The complexity and deviousness of Google’s tax avoidance practices garnered widespread criticism in the press, in political circles and amongst the general public. ‘Immoral tax avoiders’ was the headline in *The Daily*

*Mail* (Campbell, 2012). ‘When Google goes to extraordinary lengths to avoid paying its taxes, I think it’s *wrong*’ said Labour Party leader Ed Miliband (in Wright, 2013, italics added). Google’s Executive Chairman Eric Schmidt’s response to this criticism issued a catch cry for a quite different moral position. ‘I am very proud of the structure that we set up’ he opined, ‘*it’s called capitalism*. We are proudly capitalistic. I’m not confused about this’. Echoing Friedman he went on record as saying: ‘what we are doing is legal [...] I view that you should pay the taxes that are legally required’ (in Topham, 2013, italics added). Schmidt’s is a moral defense, a statement that champions market morality as it translates into the valorization of corporate freedom as both economically prudent and morally righteous. This is a morality that attests to a state of affairs where no person, community or state should intervene in the pursuit of capitalism; where no morality beyond that of the market should impinge on the exercise of corporate freedom.

With this paper I want to dwell not on the specific goings on in Google, but rather on considering an ethics that would dispute the market morality that this case illustrates. To do this I will consider in some detail Emmanuel Levinas’ conception of an-archy (1996 [1968]; 1998 [1974]; 2003 [1968]) as it relates to an ethics that involves an ‘opening up of existing political identities, practices, institutions and discourses to an Other which is beyond their terms’ (Newman, 2010: 7). As well as outlining Levinas’ an-archic ethics, its implications for corporations will be investigated. This investigation leads to a position where an-archy forms the basis of justifying dissent as an ethically necessary engagement with the excesses of corporate freedom (cf. Ziarek, 2001). Such engagement forms a ‘politics of disturbance’ (Caygill, 2002) that pursues a horizon of radical democracy (Newman, 2011) through critique, resistance and opposition to the self-interested sovereignty of business and to the pretense of corporate immutability in the name of capitalism.

## Ethical anarchy

In his paper ‘Substitution’ Emmanuel Levinas (1996 [1968]) notes that our conscious apprehension of other people is organized in an idealized way. It is idealized in the sense that once we seek to understand others we do so using the themes and categories that we apply to them. In consciousness other people are not individual or particular but rather are understood as they relate to the ‘types’ we use to compare and categorize them. Levinas writes that the unknown other, in one’s apprehension of it, becomes ‘cast in the mould of the known’ (*ibid.*: 80). Levinas refers to this assessment of others in relation to categories of knowledge as ‘thematization’; it is the very basic and unavoidable act of consciously knowing

another person. There is, however, more to other people than just knowing them in one's own terms. Levinas retains that exposure to the other person is not limited to consciousness and thematization. The other person can never be fully exposed through symbols, images and language. The spiritual dimension of the encounter with the other is, for Levinas, that which exceeds our ability to know them categorically; it exceeds any principle that would apply. To such a principle Levinas attributes the Greek work *arche*: an ideal principle imagined to be able to define experience prior to its occurrence.

To engage with another person without or prior to the imposition of a principle is to engage that person in proximity such that they are not reduced to being the same as anyone else; the other is not thematized. Such a proximate relation with the other is, in Levinas' use of the word, *an-archic*; it lacks the application of principle. He describes this proximity as 'a relationship with a singularity, without the mediation of any principle or ideality' (Levinas, *ibid.*: 81). The ethical anarchy that this entails is such that our relationship with others cannot be fully contained by consciousness and reason. Proximity 'suppresses the distance of consciousness' (Levinas, 1998 [1974]: 89) and serves to disturb knowledge and thematization by invoking both the coextensive infinity and the immediacy of alterity.

Levinas makes clear that he is not using the term anarchy to refer to 'disorder as opposed to order' (Levinas, 1996 [1968]: 81), but rather to that state of relations that is beyond and before thematization as well as beyond our own conscious intentions. Ethically anarchical relations are 'prior to the Ego, prior to its freedom and non-freedom' (Levinas, 2003 [1968]: 51). Critically, for Levinas, this is the point where ethics arises through the reception of a 'responsibility prior to all free engagement'; prior also to consciousness, thought, cognition, logic and symbolization (*ibid.*: 52). Levinas points to a self that is not the same as that which is conceived of consciously and represented in discourse; a singular identity that defies thematization.

Ethical anarchy is not something we can organize or know in a conscious manner; it is that to which we are wholly passive and which cannot be controlled by our intention. In ethical anarchy the ego is stripped of 'its self-conceit and its dominating imperialism' and returns to the 'passivity of the self that came prior to it' (Levinas, 1996 [1968]: 88). Passivity, as a mode of non-freedom, is not that which the ego controls or takes action, but rather that with which 'the ego can be put into question by Others' (Levinas, 2003 [1968]: 51). This question is ethics.

The self as located in the 'an-archy of passivity' (Levinas, 1996 [1968]: 89) is where responsibility arises in that our own subjectivity comes to us first from the

other. We are responsible to other long before we ever know ourselves. Accordingly, 'to be a 'self' is to be responsible before having done anything' (*ibid.*: 94). Responsibility is not a matter we decide on through the exercise of free will, but rather that which we receive passively 'beneath consciousness and knowledge' (Levinas, 2003 [1968]: 50). For Levinas this anarchy gives us 'a responsibility without freedom' and prior to freedom. From ethical anarchy we get 'the fact of human fellowship' (Levinas, 1996 [1968]: 91) before freedom or servitude, order or disorder, are even possible (Levinas, 2003 [1968]).

It is from proximity that our knowledge of the other is relegated as inadequate as we see a 'trace of the Infinite' (Levinas, 1996 [1968]: 91) in the other person's face. This is a down-to-earth spirituality that shines through the other person who is before me and who I cannot adequately know in my own terms. Before knowledge lies exposure where one can feel 'pity, compassion, pardon and proximity in the world' (*ibid.*: 91) and where the other person 'concerns me despite myself' (Levinas, 2003 [1968]: 57). But because it is before language we cannot 'know' this ethical anarchy as if it can be satisfactorily thematized in language and cognition. Instead what we recognize is its trace in language such that ethical anarchy is necessarily ambiguous and enigmatic; it is 'signalled in consciousness' through a language that both conveys and betrays it (Levinas, 1998 [1974]: 194).

### The business of ethics and justice

Why then might this understanding of ethics and responsibility as passive and anarchic be of any relevance to business organizations? To begin consider this we can go back to Levinas' earlier work in *Totality and Infinity* (1969 [1961]) where he specifically addresses issues of labor, work and commerce as being both necessary for, and in tension with, ethics. Levinas understands labor as a mode of accumulation that enables the self to sustain itself in relation to the uncertainty of the future. This sustenance is central to the self's ability to engage in ethical acts of generosity to the other, lest there be nothing to give and nowhere to give it from. In Levinas' words: 'No human or interhuman relationship can be enacted outside of economy: no face can be approached with empty hands and closed home' (*ibid.*: 172). Indeed, engagement with economy is necessary such that we might actively respond to the ethical obligation that we passively receive.

Labor, thus valorized, still gives way to work, the latter understood by Levinas as an engagement in the same 'thematization' that ethical anarchy precedes and disturbs. With work the self's particularity is undone as it enters into a system where labor is exchanged for money in relation to the work of the others.

Commerce exacerbates this as it constitutes a trading of selves through systems of exchange and reciprocity. Levinas thus emphasizes that ‘the ethical relation can never be an exchange of goods and services with an intended profit or value as purpose’ (Muhr, 2010: 77). It is in this sense that work can be considered centrally as an activity connected to ethics, while at the same time the *organization* of work through the market mechanism puts distance in place of the proximate ethical relation. With work, labor and organization we see the inevitable tension between ethical anarchy and the need for knowledge in and of the world.

The tension between the anarchic origin of ethics and the practice of organized work has not gone unnoticed in the academic disciplines of organization studies and business ethics. On the one hand the ethical necessity of work and its organization are acknowledged as a requirement for being to be sustained, it is a ‘necessary precondition for being able to be “for the Other” in any material and effective way’ (Byers and Rhodes, 2007: 239). What Levinas (1969 [1961]: 176) describes as the ‘anonymous field of economic life’ operates through ‘a humanity of interchangeable men’ that does not acknowledge or respect the ethically anarchical basis of subjectivity, and as such ‘makes possible exploitation itself’ (*ibid.*: 298).

Such a possibility emerges in that organization, in its very nature, involves the comparison of people, a comparison that requires ethics to be tempered by knowledge and thematization (Byers and Rhodes, 2007; Rhodes, 2012). This is so because decisions need to be made under conditions of ‘the impossibility of meeting the needs to everyone’ (Aasland, 2005: 57). Yet with this comparison each individual cannot be approached as distinct and particular in their alterity; cannot be approached without the pretense of *arche*. Once thematized, compared and traded, the understanding of others is located in relation to categories, and inevitably ‘judgment relative to that category [. . . and . . .] through this move the “Otherness” of the Other, the exceptional, is neatly bracketed and “covered over”’ (Introna, 2003: 212). What was received passively as responsibility is now solidly cloaked by the instrumental functioning of the knowledgeable ego. Even if, in this organized scene, an other were recognized in proximity the problems would not dissipate because ‘to put one other first is to put all others behind’ (Aasland, 2005: 75).

In one sense these considerations of ethical anarchy might lead use to promote ethically based justice in organizations (see Aasland, 2005, 2007; Rhodes, 2013) in that organizations and those who manage them might become beholden to negotiating the demands of all the others in the spirit of recognizing the origin of ethics in the anarchic responsibility to the other. This is indeed the predominant

response that has been made in relation to organizational and business ethics; one that builds on Levinasian ethical insights in order to develop a set of normative implications for how organizations might be managed such that they enable 'continuous improvements towards always more justice' (Aasland, 2007: 220). That is not to say that such approaches are managerial, on the contrary the common thread is a critique of ethical instrumentalism so as to suggest an approach to management and leadership that might be different to its current state. The focus is on what people who manage organizations might do, for example by pursuing a 'Levinasian managerial ethics' that would 'delimit alterity as the locus of the ethical and work on unfolding the practical conditions of managerial responsibility' (Bevan and Corvellec, 2007: 213). Managers are thus bound to take on personal responsibility in the context of organizational roles such that ethics might come to be enacted in organizations in ways that account for yet exceed the following of rules and regulation (Muhr, 2008). The 'ethical leadership' that would follow is one that is argued to be 'of value to corporate business if it is to establish a culture that is not inimical to the kind of management behavior that has been associated with corporate scandal' (Knights and O'Leary, 2006: 135).

### Ethical and political anarchism

While attestations to the need to strive for ever more just modes of organizing is commendable, by itself it suffers from the problem of assigning potential agency only to those in formal positions of organizational authority; typically managers understood somehow as being 'inside' and organization and representative of it. To begin to work through the broader implications of Levinas' ethical anarchism for business and organizational ethics we can consider its relationship with political anarchism. The conception of ethical anarchy that we learn from Levinas is not the same as the notion of anarchism in political discourse, even though it can be said that it 'concerns and affects politics' (Abensour, 2002: 5) and has been drawn on in developing anarchist political positions (e.g. Newman, 2010). Railing against the suffering and injustice invoked by state rule and the rules of states, political anarchism works under a conviction that both collectively and individually people would be better off without such power-laden intrusions (Marshall, 2010). Levinas himself relates his own conception of ethical anarchy to this as follows:

The notion of anarchy we are introducing here has a meaning prior to the political (or anti-political) meaning currently attributed to it. It would be self-contradictory to set it up as a principle (in the sense that anarchists understand it). Anarchy cannot be sovereign, like the *arche*. It can only disturb the state; but in a radical way, making possible moments of negation *without any* affirmation. The state then

cannot set itself up as a Whole. But, on the other hand, anarchy can be stated. Yet disorder has an irreducible meaning, as refusal of synthesis. (Levinas, 1998 [1974]: 194n3)

Underlining this we can concur that the implication of Levinas' ethical anarchy can be formulated as a 'politics of the trace, a politics of disturbance' (Caygill, 2002: 138, see also Abenour, 2002) that is prior to the constitution of an organized politics, including anarchist politics (Newman, 2010). More importantly ethical anarchy disturbs the state by decentering its authority in favor of the authority of and responsibility to the other, to sociality (Abenour, 2002) and to the other's freedom. The disturbance that reverberates from ethical anarchy is one that 'involves the opening up of existing political identities, practices, institutions and discourses to an Other which is beyond their terms' (Newman, 2010: 7). Ethical anarchism is thus political not because it necessitates a particular political and ideological position (anarchist or otherwise) but rather because it undermines the authority of any such position by calling it into question. The solid ground of one's own pretense to such authority retreats in the name of the other person.

While Levinas states that his ethical anarchy is prior to the political meaning attributed to anarchism, that does not mean that anarchism cannot be reconsidered in relation to that prior relation; in other words it is possible to read Levinas, as a non-anarchist, in an anarchist tradition (Jun, 2012). In particular a 'postanarchist' appreciation of Levinas is one that is 'thoroughly compatible with the anarchist ethos of permanent suspicion towards authority' (Newman, 2010: 53) and the insistence that 'a program of resistance must be ongoing, fluid, and ever-vigilant' (Jun, 2012: 113). Translated organizationally, this means that what might be stimulated by ethical anarchism is not just about the internal re-organization of managerial action, but rather a disturbance of organizational order – of assumed organizational sovereignty – that arrives from the outside, from ethical anarchy. In the service of business ethics the postanarchist drive for the 'political disturbance of state sovereignty' (Newman, 2010: 89) can be translated as the *political disturbance of corporate sovereignty*.

This disturbance, as a feature of the life of organizations, serves to contest the corporation through resistance and critique (Fleming and Spicer, 2007). Indeed while Levinas' comments echo the anarchist distrust of state power, such distrust is to be extended to contemporary corporations whose power lends them the sovereignty to ride rough shot over individual rights and state politics in the name of capitalism. Suggested is an ethically-based demand to decenter assumed power through disturbance by bringing forth the trace of ethical anarchy. In the context of globalized capitalism it is indeed the case that the power of

corporations vies with that of states for political domination on a global scale, such that corporations can increasingly be seen as political rather than just economic institutions. If there are ethical grounds that invoke the disturbance of political power then corporate power cannot and should not be excluded as an object to be disturbed.

The ethical anarchy that might inform such disturbance comes before the freedom expressed by the ego while its trace disturbs that freedom in demanding responsibility to the other without recourse to any 'authoritative structure' (Caygill, 2002: 149); without recourse to organization. Ethics is engaged with in a 'pre-conscious, non-intentional, state of affectivity in which the very distinction self-other is not yet established' (Diamantides, 2007: 2). Moreover it is this relation that asserts and identifies the 'weakness or defectiveness of the ego' (*ibid.*). Specifically, ethical anarchy is an 'affective excess to the ego that opens it up to the dimension of ethics' (*ibid.*: 12); an opening up that occurs through the disturbance of the ego's self-assumed completeness. The idea of disturbance is key in that ethical anarchy as present in proximity is that which interrupts the hubris of rational and conscious order reflected in and organized by the ego. Ethical anarchy tends to politics in the sense that it disturbs politics and tyranny (Abensour, 2002) through 'the continual questioning from below of any attempt to establish order from above' (Critchley, 2007: 123); the order of business organizations being a paradigm case. *It's called capitalism?* It's not good enough!

### **Ethical anarchy and dissent**

Having reached this point, we can say that the disturbance of ethical anarchy is not foreign to political anarchy. This is so because 'political radicalism ultimately finds its origin in this anarchical responsibility to other people', by standing up on behalf of other people and for the other's justice (Verter, 2010: 80). Ethical anarchy 'affects politics' (Abensour, 2002) because it suggests the ethical necessity of resisting and subverting power and domination. In practical terms this ethical anarchy infers a form of political activism where the anarchic moment of ethics is 'the disturbance of the status quo' (Critchley, 2007: 13). By implication activity derived from ethical anarchism would be that which provokes a continuous questioning of and resistance to the awesome power of the contemporary corporation. Anarchy here is in the form of 'ideological dissent' (Dunphy, 2004) that contests corporate sovereignty and power. This suggests the absolute ethical necessity of resistance to corporate power, anti-organizational protest, and political dissensus. Such a requirement is not to be based on an idea that we might be graced, *deus-ex-machina*, by a new form of self-management where all forms of oppression dissipate; no fantastical utopias. Instead it involves

a recognition that the space between sovereign organization and anarchic ethics must be maintained. Politically, this favors dissensus as a practical ethico-politics over utopianism as an impossible dream. Such an ethics is enacted through a 'project of ethico-political resistance and critique that works against forms of coercion, inequity, and discrimination that organizations so frequently and easily reproduce' (Pullen and Rhodes, 2012: 12) ... and so frequently justify in the name of competitive market capitalism.

It may be the case that 'corporate leaders also do not like anarchism' because 'the familiar order of managerial control is lost' (Martin, 2003: 2) but there are even more reasons that they would not like ethical anarchism. These reasons relate to how all organizational action would be under ethical scrutiny in a drive against corporate sovereignty. This calls for a business ethics that rather than seeking to gain the consent of business to adopt it, is based on dissent from the outside. This is what we might term 'anarchic business ethics', an ethical position determined to question the ethics of business without ever pretending that business will be ethical.

Business ethics is not the responsibility of business, it is the responsibility of the societies in which business operates, in other words, it is 'our' responsibility. Such ethics is located in the democratic process especially as it relates an understanding of radical democracy characterized by the non-violent expression of political differences and a preparedness to engage in political conflict (Mouffe, 2000). This 'democracy is a forever-protean process, where resistance to the integral logics of sovereignty, law, and capitalism becomes a politics of gesture' whose pursuit does not cease (Springer, 2011: 531). Business ethics does not need moralistic managers or do-gooding CEOs, it needs a civil society that will disturb corporate power in the name of ethical anarchism, and that is in opposition to the imposition of sovereign corporate power justified by neoliberalism. While it is clearly the case that the focus of much recent politics is on consensus based engagement it is through political dissensus that this can be realized (Mouffe, 2000). In one manifestation this is the role taken up by political activists and protestors against neoliberalism (Graeber, 2002). But the seeds are present too in more general realms of civil society, ethical anarchism can emerge through both radical and liberal politics.

Response to Google's tax avoidance is one recent example of civil dissent, as are public debates over executive remuneration in the finance sector and questions over corporate funding of right wing political parties. In each case what is disturbed is the normalization of corporate greed and the arrogance of corporate freedom afforded by neoliberalism. In terms of tax avoidance the ethical affront is to a corporation that believes it can rise above civil society to take what it wants

without responsibility for contributing in the ways that others have to. The pursuit of the self-interest of the corporate self is the ethos in question. *It's called capitalism!* Even the state has attempted to intervene, with CEOs of the world's most respectable companies being castigated over tax avoidance by ministers of the British Parliament at the Public Accounts Committee in 2013 (see Public Accounts Committee, 2013).

The close relations between corporate power and the contemporary democratic state (for example, in Britain) however suggest that the capacity of the state to adequately disturb corporate power are limited. What is important though, and what would no doubt attract the attention of political parties, is that these are not matters just of minority or radical politics, but are of concern to many citizens. Such matters make headlines in the press, and families discuss them after the 5 o'clock news. It might even be seen if such matters become the subject of debate in University classrooms or on the ephemeral pages of academic journals. These are but a few brief examples, but they serve to illustrate that business ethics reaches its apogee in the public sphere, in democracy, and it is here that it can be best developed and potentially even radicalized. It is in this sphere that business ethics must be located as a form of disturbance to corporations. It is in this sphere that it should be practiced and researched.

## Conclusion

If we remove the normative dimensions, it seems that Milton Friedman was partly right: the primary responsibility that business takes is to make profits, although the question of whether this is done within ethical custom is questionable. *It's called capitalism!* As Friedman's credo is upheld with stated pride through the networks of globalized neoliberal capitalism one might wonder what might be left for responsibilities to anything other than profit, or to anyone other than the mythical shareholder. One direction is to expect businesses themselves to embrace a broader set of social responsibilities and ethical demands as if moved by the goodness of their corporate hearts. The evidence that this might happen is wafer thin (see Fleming and Jones, 2013). But outside of the clutching hands of business, business ethics can be conceived of as materializing in a politics of resistance to organizations (Pullen and Rhodes, 2013) that is exercised in the context of a radical democracy formed through dissent (Ziarek, 2001). This is a vision of radical democracy that attests to the ethical demand to disturb authoritarian and exploitative institutions without assuming that the state is the center of democracy (Newman, 2010). It is in civil society itself, in our collective relations, that ethical anarchism is to be found and hence where political action in response to it emerges in one way or another. This is a

business ethics of the street, not of the boardroom. A business ethics of the citizen and not the executive.

The ‘market fundamentalism’ that rings through Schmidt’s pride in an inevitable capitalism is precisely the form of neoliberal ideologizing that an anarchic business ethics would seek to undermine. In question is the ideology that neoliberal capitalism is the right and only ‘possible direction for human historical development’ (Graeber, 2009: 3). *It’s called capitalism!* So justified in the words of Google’s CEO that he can assert that his organization is proud of being capitalistic. In direct contention to such self-important hubris, it is in the spirit of human fellowship and respect that ethical anarchy teaches us we might have a healthy disrespect for the ethical possibilities of a single sovereign institution or organization. It teaches us too that business ethics is far too important to be left in the hands of business. Work and commerce are needed for ethics to be sure, but through their organization on a global level we encounter the inherent possibilities of oppression, exploitation, discrimination, deception, greed and selfishness on a huge scale. All justified so long as they can be conducted without contravention of the laws of the state. It is the trace of the ethically anarchical appreciation of the other person that might lead us away from and against such possibilities; a primal respect for the unknowability of the other. This ethical anarchy prompts the need to disturb and decenter corporate power, lest it continues to get carried away with itself. It is this political disturbance that marks the space of an anarchical business ethics that practices political anarchism.

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