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## THE END IN SIGHT

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'The State - not only the Christian State but the State as such - has a divine role,' An Archbishop of Canterbury, *Sacred and Secular*.

It is time, said the Director, to show you something of our progress in the field of social engineering. You have been working in the isolation of the Upper Amazon for far too long, ninety, a hundred years did you tell me?

You are too kind, I said.

No at all, he replied. Time means so little, with our new drugs, and as for kindness, well, the word falls strangely to my ears. It is not a word we favour, these days.

Where does your explanation begin, I enquired. Remember that I have been divorced from the progress of modern life for what is by some standards quite a long time.

I think, said the Director, that an exhibition of our present activities will help you. And perhaps, if you see our social engineering processes in action for yourself, you will be able to understand the considerable advances we have made in your absence.

There were signs of progress before I left, I said.

The Director looked at me sharply, as if he suspected an irony. Let me show you, he said after perhaps five seconds. Channel SE 2 will be on at the moment. SE 1 is of course the Westminster Channel, quite entertaining in its own way, but too remote from the realities of everyday life. He considered the matter for a moment. For this reason, perhaps, it has an element of the comic. The Prime Minister, for example, wears a different tie each day, a quaint, old-fashioned custom designed to impress us all with the maturity of his wisdom. He never wears it outside the House, of course.

And Channel SE 2, I asked, what is that?

It is a stereovision channel confined to proceedings before our social tribunals. In your day, even, I believe they were described as courts, sometimes, I believe, even as law courts: so called, from the yard or space in which the judge or magistrate originally sat. Now - but you shall see for yourself. The Director pressed a small button, set in the arm of his easy chair, and a rosy glow suffused the pleasant but small living room in which we were sitting. A pattern on the far wall shimmered for a golden second, then resolved itself into a scene of a court, beautifully illuminated in depth, in a crisp, clear and natural colouring.

This is a law court, I asked.

We call them social engineering clinics now, SEC's, explained the Director patiently. This, as you will see from the emblem at the back of the chamber itself, is SEC 17. It depends what cases are on, he continued indifferently, the Ministry of Justice has a daily list of cases, and selects from them those most appropriate for public viewing. SEC 17 is always interesting, situated as it is in the heart of one of our disaffected areas in the metropolis.

It is a small chamber, I said.

Small, but acoustically excellent, explained the Director. Sound-proofed and air-conditioned, like all other SEC's, it is built to a common design, adopted by the Ministry some years ago. The clinics are admirably adapted to our needs: and indeed, the Government of the Eastern Bloc recently asked for plans and details, under the new Cultural Pact.

But I see no public benches, I said: for the television camera showed the whole of the chamber, and disclosed only a long table, with five chairs on one side, and, on the other side, a kind of console, raised higher than the table, with another chair behind it.

We got rid of that nonsense some time ago, said the Director. After all, what members of the public are sufficiently interested in the so-called magisterial or judicial process? Only a few prurient and socially undesirable elements. Apart from the publicity accorded by Channel SE 2, the Information Officers of the Ministry handle all reports of proceedings. Suitably edited for stereovision and so on, the Director added, almost as an afterthought, since we prefer to avoid all

aspects of the sensational. Indeed, to pander to such aspects is to import a degree of prejudice, leading to hysteria.

But surely this change has not taken place without some protests from the judges themselves, I protested.

I believe that in the old days there was some mild protest by one or two elderly judges, relics of the old, unhappy system of the past. They were dealt with, effectively, and we heard no more. Then one of our leading social engineers, the present Minister of Justice, coined a phrase that has passed into our common parlance: Justice must not only not be done, he said, but it must be seen not to be done.

Well, I said, nonplussed, is that not, so to say, something of an extreme attitude?

It is clear that you do not understand what is meant by justice, in our modern sense, said the Director. I thought this would prove a stumbling block for, living among those benighted pigmies all these years, your critical faculties must indeed be dulled. You may take it from me that the Minister's aphorism has put a healthy, salutary sentiment into our affairs: and I think this will be demonstrated to your satisfaction, when you observe the ending proceedings.

At this point the stereovision screen showed five men entering the court, or clinic; they sat at the chairs on the one side of the long table.

That is the subject we are concerned with, in the middle, said the Director. The stereovision camera closed in at this moment, to disclose the pale and empty face of a man of about thirty years of age. Indeed, continued the Director, he is always called the subject, and his name, race and number are never mentioned in the course of the proceedings: a rule of procedure designed, of course, to preserve the principle of non-discrimination, as well as to guard against prejudice.

Does the same rule apply to civil proceedings, I enquired.

The Director turned to look at me. I really fail to understand you, he said. You tend to use terms of the Old Jurisprudence, terms that have no meaning today.

But is this matter before us a criminal matter, I asked.

There is no distinction in these days between what you call civil and criminal issues, returned the Director. Since all offences affect the State, all are dealt with by the State; and since the State guarantees equality of treatment, all are dealt with indifferently. A private debt,

for example - if such a curiosity exists, as I suppose it might, in some more backward part of our Bloc - affects the State, even more directly than the creditor; indeed, what could be more important than the movement of capital? He paused for a moment. Such imbalances as unpaid debts impose a stress upon the whole of society.

But suppose my neighbour does me an injury, as by breaking a contract with me, I asked.

Your interest would of course be protected by the State itself, said the Director impatiently. Such an anti-social action would have serious consequences for this mythical neighbour of yours: and indeed, I suspect that no such man could exist. All private contracts - and they can extend to only a small number of matters - require registration with the Ministry, to be enforceable: and when they are broken, they are enforced by the State. This, after all, is but just. However, this is not relevant to the present proceedings, which you may wish to observe with care. You have seen the subject himself: the camera will now show you his companions.

As the Director spoke, the camera turned its attention to the man on the immediate left of the subject. He, explained the Director, is the Clinic Physician - a post highly regarded although, he added, slowly, there have been of late suspicions in certain quarters that some of its occupants are not beyond corruption.

Is the subject ill, then, I enquired.

He must be a sick man, replied the Director, emphasising the adjective, otherwise he would not, of course, be here before us. But there is a CP in attendance in every court.

This bespeaks a strange solicitude for the subject, I said.

A solicitude that is not wholly disinterested, said the Director. The State has a great concern in the subject's welfare, just as - so I have read - in olden days a criminal, or whatever the term may have been, was restored to health before his hanging. But, he continued, our concern here is that the drugs we use should not be maladministered. It discredits the whole system when (as happened several times in the early days of the New Jurisprudence) a subject died in the very clinic itself, once before the eye of a stereo camera. That sort of thing would never happen now.

But what are these drugs you mention, I asked.

Oh, harmless to the innocent, the Director explained, a compound of mescaline, designed to break down the artificial barriers of personality and so enable the Clinic to move swiftly, completely, to the truth of a matter, without any of those awkward problems posed, under the Old Jurisprudence, by untruthful witnesses or misleading circumstantial evidence. Our concern, you will see, is in essence only with the individual.

And those things on his wrists and temples?

Ancillary equipment, explained the Director. We always protect the health of the subject, since we do not, for example, wish him to be put to undue strain.

I am gratified to hear it, I said. And the other men in the Clinic?

On the Court Physician's left is the Deputy State Prosecutor or DSP, explained the Director. Then, on the right, you see the subjects' Physician - only supplied in cases certified by the State Prosecutor as affecting the welfare of the State. And then there is the advocate for the subject. He is always provided, and paid for, by the State, but of course, his services are seldom required. So you see, all the machinery for an impartial investigation exists.

At this point the five men arose, the subject being prompted by the Court Physician, and the camera closed in upon a man, who walked to the raised console in front of the subject. Here the camera closed in further, to show the judge's side of the desk. This consisted of a dull grey control panel, at the base of which was a row of switches and, above these, two layers of small monitor panels, gauges, dials and stereovision screens. As we watched, the judge's fingers pressed several of the switches, and small blue and green bulbs shone on the panel. Like that of the prisoner, the judge's face was pale and empty. A man of fifty or so, he wore the plain, undistinguished clothes of a civilian.

That is the judge, I enquired.

The Director nodded absently, watching the screen.

He appears to be worried himself, I said.

He is a dedicated man, said the Director. His only concern is with the welfare of the Bloc; and for this reason he is scrupulous to ensure, to the best of his ability, that every individual should fit happily into the structure of the State.

Happiness is not a concept I would have thought appropriate, I said.

You are right, said the Director sharply, I apologise for the lapse. The word is seldom used these days, except in certain advertisements put out by the State Advertising Service, which of course has a monopoly of the press and stereo services. But you would be familiar with that?

Indeed, I said. It seems, however, that the technique has been improved since my day.

Say rather that it has been perfected, said the Director. For example, what meal would you like at this moment?

Boneless chicken, in curry, I said.

Exactly my wish also, exclaimed the Director. This is no coincidence. There is a temporary glut of chicken, and the product is being sold by subliminal advertisement, in the course of this scanning - and others. I happen to know these things: yet such is the skill of the SAS, that I share your wish.

Remarkable, I said, suppressing my saliva and collecting my wits. But the Clinic Staff, what of them?

There are no officials, other than those you see, explained the Director. The proceedings are of course stereotaped, together with the subject's responses, so that a complete record exists not only of the case, but also of the subject's reactions during its every phase. Suitably edited, this will ultimately be entered on the subject's National File.

You implied that the case involved disaffection, I observed, what is the charge?

That is something the DSP keeps to himself, said the Director. This, I can well appreciate, may seem revolutionary to you. But our social engineers have proved that it is better to keep a subject ignorant of what offence he may have committed. Justice must be seen not to be done, as I said. This makes for a healthier, more frank approach than the Old Jurisprudence method of accusing a man of a specific offence. This was always criticised by our philosophers, since the accuser naturally tended to suppress, consciously or unconsciously, evidence favourable to the subject. And since we have to consider the welfare of the prosecutor as much as that of the subject, we have found our present practice wholly admirable: the prosecutor, knowing the

ignorance of the subject, can never be embarrassed by the latter. As for the subject, his conscience is allowed to operate freely, without restraint, and so to purge itself of all guilt.

I'm not sure I follow you, I said, and in any case, is this not unfair to the subject?

Far from it, said the Director.

But if the charge is not known, what of the law itself. Is the subject apprised of this?

Ah, said the Director, you raise a large issue. We have made many advances in the sphere of what was once called, so inaccurately, law-making. Hypothetical principles of behaviour are now first tried out on the Banks and then, if in harmony with the views of those august establishments, referred to an ELL, or Experimental Law Laboratory.

Another clinical touch, I said.

I would assure you that all concerned are volunteers, members of selected communities who out of public spiritedness opt for collective hypnosis. Oh, it is quite harmless, the Director continued, and in fact one of the most exciting of our reforms. The Ministry of Psychology, working in collaboration with the Ministry of Justice, has established a number of ELL's, throughout the country. Selected inhabitants in these areas then come forward, to have implanted in their subconscious minds the particular rules of conduct in which the social engineers are interested: and then their behaviour is carefully observed, over an appropriate period of time. If the experiment is successful, the rules of conduct are then, as it were, transplanted to the national consciousness. If the experiment fails, the draft rules (if I may call them such) are painlessly erased from the minds of the volunteers, by the same technique of mild hypnosis as that by which they were induced. The Experimental Law Laboratories are still in their infancy: but the successes so far achieved (in which I and my colleagues have played a modest part) indicate beyond doubt that we are on the frontiers of civilisation itself.

That I can well believe, I said.

At this point the scene dissolved to a close-up of a needle, flickering on a dial.

Ah, exclaimed the Director, the proceedings are about to commence. That is a close-up of one of the polygraphs clamped to the subject. Interesting, is it not? See how it hovers in the critical read sector - a sure sign of conscience!

Are those available to the judge, I enquired.

But of course, explained the Director. They tell him the responses of the subject, on the panel before him - you must have observed it just now.

It appears a very complex series of instruments, I said.

It is certainly that, said the Director. Why, it takes many years to train a good judge. For example, the correct use of the Open Bank itself requires a minimum of ten years' training. But of course, you would not be familiar with the concept of the Open Bank?

No, I said.

I think I'd better turn off the sound, said the Director, pressing the button in the arm of his chair. The Noise of the Clinic ceased. Until you know how the system operates, you will never appreciate its virtues, he continued. Under the Old Jurisprudence, the one you may remember, the system that gradually evolved in such an untidy manner from the Judicature Act of 2013, we finally produced the great Common Law Memory, or CLM, as the original machine was known. Into this early instrument was fed the whole of the then system of case law, that primitive doctrine based upon the curious theory of precedent: a system (if that is the word) which was so cumbrous and uncertain in its application that the wonder is that it survived as long as it did. Under the Old Jurisprudence we developed computers capable of acting as memory banks for case law: but even the most famous of these, Common Law Computer XIV, erected in Westminster Hall - a machine once jocularly known as "the final reasonable man" - in the end, under the ever-increasing burdens and incredible caprices of the so-called common law, it broke down. A spate of cases in the '80's, involving alleged infringement of personal liberties by the State (a quaint concept) finally destroyed the whole system. From that time dates the Universal Restatement.

What is this, I enquired.

I think it can truly be described as the most civilised and up-to-date code of law in the world. For, just as the Muslim jurists of old



applied the principles of an early religion to all a man's waking hours (so making him nobler than his religion) we have applied in like fashion the syllabus of the ethical principles of our civilisation, to the whole of a man's actions. The Restatement, drafted with a lucidity of style and thought never to be found in those ancient and extraordinary laws of misnamed Acts (which still occasionally turn up on the sites of new Government offices) covers all our affairs, from conception to cremation. Nothing has been overlooked.

Is it a penal code, I asked.

Gods of our fathers, no, exclaimed the Director. There is not a penalty in it, from beginning to end, for it is founded on the love of the State for the individual.

An extraordinary principle, I said.

But the State is love, affirmed the Director. This is the product of that long-surviving, wholly admirable doctrine of totalitarian, existentialist ethics in which our reforms were conceived.

This has been enacted and published, I enquired. In other words, I can purchase or borrow a copy?

Far from it, said the Director. Like light, it cannot be captured, it is changing all the time. The basic principles were fixed, something in the form of a modern Ten Commandments, and then entrusted to the Guardians.

And what are these, I asked.

Ask rather, who are they, responded the Director. The Guardians are the custodians of the Restatement. It is they who keep it always in harmony with the needs of the day. During the Third World War, for example, they were able to modify certain principles of the Restatement, dealing with the right to life, by an ingenious paradox, explaining the right to death. But this was, of course, an extraordinary instance, prompted by exceptional days. Their general duty lies in ensuring that the Restatement expresses concisely the requirements of society, at the all-important instant of Now.

This must be a great task, I said.

Indeed it is, said the Director. The Restatement has, by one of our philosophers, truly been compared to a great tree, the greatest tree in the forest, giving shelter to all beneath it; yet the tree is fast growing, and needs constant attention, and this the Guardians themselves provide.

Who are these men, I enquired.

They consist not only of men, but also of women, in equal number, twelve of each. Their identity is kept secret, even from the President himself, and they elect their own replacements, as and when required.

Is there not a danger of their becoming too powerful, I asked. Surely there must be some measure of control over their activities?

They are our wisest men and women: if we cannot trust them, who can we trust, demanded the Director. But consider - their powers are predominantly passive. They simply ensure that the rules by which we live are in harmony with the principles set out in the Universal Restatement itself - a great advance indeed upon the so-called fundamental liberties we tried out, under the Old Jurisprudence, in that lamentable constitution then adopted, mercifully for only a brief, experimental period. It is they who determine to what extent that harmony can be adapted to the modern ear. They sit in permanent session in relays (for continuity) and their deliberations are recorded in the Secret Bank. But I see the waves are moving - you see them?

I looked at the screen, to see a brief ripple run across the dull picture. What might that signify, I enquired.

It is a minor, occasional defect, answered the Director. The judge is now consulting the Open Bank, and unfortunately this receiver picked up his signal. In a few seconds we shall no doubt observe a similar ripple, signifying a reply.

The Open Bank, I asked, what is this?

The Open Bank consists of a battery of rulings on all aspects of life. If in doubt on any point, the judge simply refers his query to the Bank, where an authoritative answer will be given him. His query will at the same time be repeated to the Secret Bank, for information, and the reply similarly repeated. And here comes the reply.

The screen shivered for a moment, as the camera closed in upon the judge's console. Suddenly the blackness of the panel of the console facing the subject was illuminated by a panel flashing in yellow letters the word Verdict. After ten seconds or so the flashing ceased, and the word remained, outlined in clear yellow letters: and then, underneath, appeared the single word abnorm, in red letters. Suddenly the scene dissolved to a polygraph of the subject's reflexes: the needles pulsing

violently. Above the muted sound of the receiver floated the thin wire of a distant scream, reminiscent of the end of Till Eulenspiegel.

Well, it didn't last long, said the Director. I thought it might be only an interlude. A pity, since I had hoped to show you the procedure in detail.

The scene dissolved once more, to show a highly coloured packet of soap powder.

Is that all, I asked, what about sentence?

All sentences are the same, explained the Director patiently, so they need no imposition, following as they do automatically on conviction. It is one of the truisms of the New Jurisprudence that sentences have no beginning and no end. A different team of social engineers will attend to the matter, and, rest assured, the subject will be brought back to the fold of the normal as quickly as possible. In the meantime he will be treated with every consideration: indeed, our preventive detention centres have a world-wide reputation.

I believe that preventive detention was an instrument once used for political offences, I said.

Yes, said the Director, our treatment was derived from that system. I understand that the theory was based upon an acute observation of Dodgson, an English mathematician of the nineteenth century, and one of the first mathematicians to influence our legal thought. He referred in one of his works to a King's Messenger (you see the political connection at once, no doubt) who was in prison being punished, when the trial did not begin until the following Wednesday: while the crime of course came last of all.

Suppose he never committed the crime, I asked.

The Director observed me curiously. This was a favourite question for debate at one time, he replied, and in fact it indicates in itself the answer. After all, if the crime is never committed, the State is spared a criminal and the subject is (in an excellent sense of the word) saved.

It sounds a very humane system, I said.

It is indeed, replied the Director. Once we had adapted it, worked upon it (this took many decades) the world knew that we had reached perhaps the ultimate solution to the problem of man in society. It is, I think, true to say that we can in most cases detect a person before

he commits his disaffection. After all, by reason of the skilful and unceasing use of drugs in the water supplies and food factories, by the comprehensive controls exercised, indirectly but effectively, thorough the press and stereo services, it is seldom indeed that the circumstances in which a disaffection (the most serious of all offences) is conceived in a subject's brain. Even when this occurs, a vast apparatus exists to observe his actions at this time, by means of hidden monitors in home, offices, streets and places of public resort.

Is there no possibility of a subject evading these controls, I enquired.

None, said the Director. On some pretext or other, he will be called in for a medical examination, at which time a small transmitter, no bigger than a pellet, will be inserted in some appropriate part of his torso. This will disclose his whereabouts at any time: a matter of no consequence in the provinces, of course, where travel beyond the county boundaries is restricted, but useful in the cities.

Extraordinary, I murmured.

Oh, we can do much better than that, said the Director, not without pride. In the case of selected subjects we can, by means of carefully controlled signals, control not only their actions, but their thoughts. This we do through hairlike antennae, painlessly embedded in the lobes of the brain. The technique is not perfect, few things are; but often we can save a man from himself: one of the finest achievements in the field of social engineering.

What about this subject, I asked, nodding towards the screen, can he appeal against the verdict?

My dear citizen, said the Director, suddenly intense, of course not. there is no need. A verdict is always final and conclusive, since before it is delivered it has been approved by the Open Bank, and not disallowed by the Secret Bank. So, in this fashion, all the voices of justice speak before the verdict is delivered. An admirable arrangement, wouldn't you say? Finality in one phase!

Admirable, I concluded. But how, given the sedulous and loving care conferred by the State on each of its subjects, is it possible for even one - such as the subject we have just seen, briefly, over yonder - to commit an offence?

The Director reflected for a moment. Such a question is a fair one, he said, and perhaps I should explain that some of the proceedings

shown to the public are not true trials (for the latter are indeed few, and are never fully brought to the public attention) but literary adaptations of earlier, authentic proceedings. The case you have just seen, for example, follows a script in which, indeed, I had a hand: and I hope that I shall have the benefit of your constructive criticism thereon, at a later time, for I think the reactions of a citizen long absent would be useful. A good producer can, of course, induce a tremendous tension, by a skilful use of dials and close-ups - I have even been deceived myself. And that final, fading scream: a wonderful deterrent, you know.

You mean, the proceedings I just witnessed were no more than a play, I asked.

It was true once and could be true again, said the Director, so there is no cause for alarm. What you have seen was no lie: the people accept it as true and it may well have been true, in the end. The play can become life, just as life becomes a play.

It seemed to have an element of the unnatural, I said.

I cannot say, replied the Director, cautiously. Only the judge and the DSP would know - apart from the subject. For all others, the exercise is always a mere matter of logic. But unnatural is an odd word. He meditated for a moment. The notion of the natural is a curious one. Indeed, one of the major problems of the Old Jurisprudence lay in a desire for a recognition of principles founded upon a so-called natural justice. The term means nothing, of course: there is no justice in nature, and after all, the State did not exist in the original condition of man. Furthermore, it was soon recognised (once we had made the major breakthrough of understanding that the centre of any modern social system must be the State and its various organs of government, and not the frail and capricious individual who fathered the reasonable man of old) that justice is solely a creation of the State. Without the State, justice cannot exist. Who, after all, provides our salaries, our food, clothing and necessities? Who provides our clinics? What is the engine that produces all our luxuries, meets all our needs, solves all our problems? Why, the State, the supreme father-figure of the old schools of psychiatry, now made perpetually new, perpetually kind,

perpetually alert to the welfare of its subjects. Yes, you will certainly enjoy your rediscovery of truth, in our society.

Amen, I said.

Big Brother, we love you.

**R.H. Hickling**

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## THE CONTRACT OF EMPLOYMENT, KNOWLEDGE WORKERS, AND THE “K- ECONOMY”

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### 1. Introduction

At the time of writing, the K-economy masterplan is still being prepared. The government hopes that it will be ready by the end of year 2000 so that it might be incorporated under Outline Perspective Plan III which will contain Malaysia's development strategy for year 2001 and beyond.<sup>1</sup> As such, not much is known about what being in the “K-economy” really means, in particular from the point of view of work and workforce patterns. There is much talk about “knowledge workers”, but precisely, what are their characteristics and how do they differ from workers of yesteryears?

There have been attempts at explaining the situation. For example, it has been said that a knowledge-based economy or k-economy is an economic structure which requires many knowledgeable workers in many new and emerging fields, such as robotic engineering, information and communication technology, nano technology and bio-technology. This development requires a high percentage of knowledge workers, which would form the backbone of the national economy. Knowledge work has been categorised as “something complex, uncertain, ambiguous, unstructured, difficult to observe and measure, and with high risk.”<sup>2</sup> Knowledge workers are individuals who are supposed to be flexible and tolerant, versatile, autonomous and highly-skilled, possessed of very strong analytical skills.<sup>3</sup> The qualities of these workers are obviously different from workers in the era of production economy.

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<sup>1</sup>*New Straits Times*, 5 April 2000, at page 23.

<sup>2</sup>*New Straits Times* ('Appointments'), 13 May 2000, at page 8.

<sup>3</sup>*Ibid.* See also *Business Times* ('Human Resources'), 27 July 2000, at page 4.