Doomsday prophet or optimist? Susskind predicts the end of the professions

PROFESSOR KATHY LASTER, DIRECTOR, SIR ZELMAN COWEN CENTRE

Richard Susskind, the one-time “enfant terrible” author of The End of Lawyers? delivered the Sir Zelman Cowen Centenary Oration on 3 May to over 300 distinguished members of Melbourne’s legal community at the Sir Zelman Cowen Centre. Professor Susskind was in Australia to launch his latest book, The Future of the Professions, co-authored with his son, Daniel Susskind.

Dynastic succession in law is common, but tellingly, Daniel trained in economics rather than law. The co-authored book is a persuasive futurist account of not just the demise of traditional legal practice and law as we know it, but also the transformation of other established professions including medicine, teaching, architecture, accountancy and even the clergy. What is effectively an impeccably researched and compelling doomsday book of the professions, though, is surprisingly upbeat.

The Susskinds’ thesis is that expeditious growth in information technology means that we are now on the brink of a profound and irreversible transformation in the way in which knowledge is acquired and expertise deployed to deal with the complexities of life. In “Print-based Industrial Society” there was an implicit social contract under which the professions were granted monopolies and status in return for dedicated mastery of, and support with, the complexities of social life. But, according to the Susskinds, in our new, 21st century “technology-based Internet society”, the professions have lost relevance and usefulness. They now inhibit, rather than facilitate, social progress.

The authors level a serious “charge sheet” of failings at the professions including: excessive cost, (only the very few can afford bespoke Rolls Royce personal services such as law and medicine); quality (“capable machines” now deliver far
superior results); and even morally - how can we continue with a system which denies the majority of people access to the best legal and medical (and educational) services that we can provide? Criticisms of the professions as “a conspiracy against the laity” are not new. But, according to the Susskinds, we now have the means to provide cheaper, better and fairer alternatives.

Before our very eyes they contend, ever more capable machines and systems are providing services and outcomes that were previously only the imaginings of science fiction. Take auditing, once the high status sub-branch of the accounting profession. Now, increasingly capable machines provide “real time” financial checks and the labour intensive, post facto, annual audit is fast disappearing (and with it the traditional business model of the large accounting firms). In all professions, the pyramid army of junior staff executing low order tasks is being replaced by machines. Professional work has also been deconstructed and outsourced in various ways to cheaper para-professionals anywhere in the world.

Perhaps the most graphic illustration of the incredible shrinking terrain of the professions comes from medicine where technology-enhanced diagnostics and robotics are at a stage where they can begin to provide instantaneous telemonitoring and pre-emptive medical interventions (think super-pacemakers for all parts of the body, including via ‘ingestibles’ which monitor and repair us internally almost imperceptibly). Machines, albeit not yet on their own, can already perform serious surgery, at much highly levels of manual dexterity and accuracy without fatigue and ‘human error’.

Capable machines are also increasingly “creative”. The superior data synthesis functions of computers have come up with hypotheses to guide new research because, in this information technology enhanced age, machines alone can digest and apply the volumes of big data necessary to leap-frog scientific (and business) analysis. Reading the writing on the wall (or screen!) does, at the very least, mean that in the short term, we need far fewer accountants, doctors, and yes, lawyers. Those left will also need to have different skills but, more importantly, a wholly different mindset. Certainly the business models, entities (such as partnerships) and the division of work ascribed to traditional professions will “incrementally” no longer be viable.

Among some professionals, the cri de coeur is “O brave new world” (and it was almost audible in the senior legal audience at the Sir Zelman Cowen Centenary Oration). Others are just hanging on hoping that they last long enough not to have to cope with this magnitude of change. At this end of an era, the Susskinds identify four survival trends across all professions largely facilitated by technology: the move from bespoke service delivery to more standardised/commodified forms; the bypassing of traditional gatekeepers (liberalisation and open competition for all or parts of traditional professional work); and a shift from a reactive to pro-active professional service where providers reach out to clients/recipients (preventative health) rather than waiting for work to walk in the door (ala just-in-time litigation or emergency surgery). Finally, everyone agrees that all professions have to rise to the insatiable demand for “more for less”.

All up, automation and innovation are the order of the day, but these adaptive trends are, at best, interim solutions. Before you rise to your feet to critique the Susskinds’ predictions about a professionless future, remember that they have heard it all before and have sophisticated responses at the ready. Some of these include observations about the perils of “status quo bias” in a rapidly changing context as well as detailed analysis of the “Artificial Intelligence Fallacy” which judges machine capabilities according to human standards of, for example, consciousness. Functionally, all that is required is that machines, in their own way, achieve the required results (including for example, simulated empathy sufficient to deliver good quality care to dementia patients who measurably benefit from this kind of support).

Profound change is certain, but for the Susskinds, this is no deluge. Preserving ill health to keep doctors employed is unconscionable. Likewise, we can’t continue to preserve legal practices to serve the wealthy when we have the means at our disposal to democratise services to meet deep community needs.

The Susskinds are “glass half full” prophets. For the adaptable, as one screen closes, great windows of opportunity open up. Technology will help professions satisfy “latent demand” by offering more (and better) services to larger sections of society. New business models and new roles will emerge including “process analysts”, “knowledge engineers” and even “empathisers”. Just as with former guild crafts, when the work of Chandlers, Mercers, and Wheelwrights disappeared, they reincarnated themselves because society’s need for energy, clothes and wheels, remained.

The Susskinds are idealists. Their vision, based on careful observation, hard data and persuasive argument is appealing. The Future of the Professions is a must read for all professionals and policy makers. It is strongest as an insightful account of the present and near future. But can we believe in the positive (and positivist) better world which implicitly informs their longer-term vision? A long and distinguished line of techno-optimist writers also dreamt as much. The 19th Century utopian writers for example, predicted a world in which liberation and social opportunity for all would be realised through technology. Edward Bellamy’s (1850 - 1898) best-selling techno-utopia, Looking Backward: 2000 - 1887, spawned a serious political movement. Among other things, Bellamy opined (before the invention of the radio), that if we could hear superior music played anytime anywhere, that would surely signal the attainment of human nirvana. However, technology is quickly taken for granted and can be seen to merely lift expectations, and sadly, social stratification, higher.

The reason that mums and dads want their kids to become lawyers and doctors is probably less about the nature of the work than securing their offspring’s position among the elites. At one level, “the professions” are just a proxy for elite status which could easily be replaced by different roles and labels. The lingering challenge then is how to (always) address social inequality or, in the Susskind’s frame, the social and occupational consequences of what we term, in a major understatement, ‘the digital divide’ which, contra the Susskinds, will also, almost certainly, exponentially widen? 8