The politics of platform capitalism: A case study on the regulation of Uber in New York

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Abstract
Platform companies like Uber not only disrupt existing markets but also contest existing regulatory regimes. This raises the question of how, when, and why such companies are regulated. This article develops, tests, and defends a theoretical framework that explains the politics of regulatory response to the rise of platform capitalism. Using discourse network analysis and a case study on the regulation of Uber in New York, it shows that the success or failure of regulations depends on the ability of actors to mobilize broad coalition; that narratives affect the composition of these coalitions; and that platform companies have both unique political strengths and vulnerabilities. This article makes substantive contributions to our understanding of the politics of platform capitalism, and it makes theoretical contributions to the literature studies on coalitional politics, ideational institutionalism, and business power.

Keywords: business power, discourse network analysis, narratives, platform capitalism, Uber.

1. Introduction
Few companies have caused as many political controversies and regulatory headaches in recent years as the ride-hailing platform Uber. Perhaps more than any other company, Uber has come to epitomize both the promises and perils of platform capitalism. Uber portrays itself – and is widely praised – as a disruptor of cozy industries and as a boon to workers and consumers alike. Its opponents, however, argue that the company’s lofty rhetoric of innovation and entrepreneurship does not chime with the more mundane realities of tight labor control, tax evasion, and urban congestion.

Both of these “two narratives of platform capitalism” (Pasquale 2016) have a point. But they miss the broader point that the nature of platform capitalism is not preordained by technology itself but depends on how societies decide to regulate it. Technology, as one of its foremost historians put it, “might be a prime element in many public issues [but] nontechnical factors take precedence in technology-policy decisions” (Kranzberg 1986, p. 550). Richard Hyman echoes this view when he writes that “far from being an unavoidable consequence of technological progress, the nature of work always remains a matter of social choice. It is not a result of an algorithm; it is a collection of decisions by corporations and policymakers” (Hyman 2018).

But while undoubtedly correct, these arguments beg the question of how and why these “decisions” are made. If platform companies resist and challenge existing regulations, which they often do, we need to understand the politics of regulatory response: when and how are regulations updated (Kjaer & Vetterlein 2018)? In this article, I argue – and demonstrate empirically – that the way in which societies “decide” to regulate platform capitalism depends on the size and diversity of the coalitions that actors are able to mobilize in support of or in opposition to specific regulations; that narratives shape the ways in which these regulatory battles are framed and fought, and therefore affect the composition of coalitions; and that platform companies both benefit from their close alliance with consumers – which they can mobilize as corporate grassroots activists – and suffer from distinct vulnerabilities as a result of their high public visibility.

My findings thus suggest that regulatory responses require political mobilization when regulatory agencies struggle to rein in platform companies, which often combine aggressive disregard for existing rules and active
mobilization of popular support. My findings further suggest that the political coalitions that underpin these regulatory responses are not set in stone but are amenable to ideational manipulation. This is not to deny that structural and institutional factors strongly affect actors’ interests and thus shape the basic composition of coalitions. But while the interests of some actors may be relatively clear, interests rarely “arise unambiguously from the world” (Hall 2016, p. 40). Rather, actors interpret their interests – and therefore choose their coalitional alignments – based on how they perceive the world around them. The more uncertain they are about the world around them, the less clear they are about their interests. Hence, what actors make of a novel phenomenon like Uber – whether they support or oppose it – depends on how they perceive it.

Companies have therefore every reason to actively manage and manipulate the discursive “framing contests” (Boin et al. 2009) in which these perceptions are shaped (Bach & Blake 2016). Narratives, understood as bundles of frames that tell a story of victims, villains, and heroes, are powerful tools in these framing contests. They can bring actors to change their perceptions and – consequently – to reevaluate their interests, especially if they make sense in light of dominant beliefs and values (McBeth et al. 2017). By moderating the structural and institutional determinants of coalition formation, narratives thus “play a powerful role in shaping regulation” (Prassl 2018, p. 8).

However, the ideational playing field on which the politics of regulatory response takes place is not level but shaped by the simultaneous power and vulnerability of platform companies (Culpepper & Thelen 2019). On the one hand, their popularity with consumers and their ability to directly communicate with them allow platform companies to more easily mobilize consumers in opposition to regulations that threaten them. On the other hand, their enormous public visibility makes it easier for critics to draw attention to the negative consequences of their business models, and thus to mobilize actors against them. With great power comes great vulnerability.

This article stands in the tradition of “analytic eclecticism,” that is, it tries to “complement, engage, and selectively utilize theoretical constructs [from] contending research traditions to build complex arguments that bear on substantive problems of interest to both scholars and practitioners” (Sil & Katzenstein 2010, p. 411). In this spirit, I draw on and combine elements from the literature studies on coalitional politics, ideational institutionalism, and business power to make sense of the politics of platform capitalism. I argue that a framework that looks at the interplay of coalition formation, narrative framing, and platform power is better able to explain the politics of platform capitalism than alternative approaches. I empirically test this claim in a case study on the regulation of Uber in New York and defend my argument against alternative explanations. I use discourse network analysis (DNA) (Leifeld 2013) to analyze the structure and structural change of coalitions as well as the frames that different actors employ. In addition, I use sentiment analysis and qualitative evidence to corroborate my findings.

Why look at New York? For one thing, the regulatory battles in New York were particularly fierce, for the simple reason that a successful attempt at regulation in New York could set a precedent for other cities. As Uber’s founder Travis Kalanick himself put it: “If it happens in New York, the whole world is going to see it. Which means it could happen anywhere. We can’t let that happen” (Tusk 2018, pp. 9–10). Equally importantly, the regulation of Uber in New York provides us with a particularly interesting empirical puzzle. New York’s Mayor Bill de Blasio tried to put a cap on Uber twice, once in 2015 and then again in 2018. Although the first attempt failed spectacularly, the second was successful. How can we explain these divergent outcomes given that both regulations were very similar in content, were proposed by the same mayor, in the same city, and only three years apart from each other?

And why look at Uber? Because Uber has come to symbolize the rise of platform capitalism. Uber spearheaded a new way of organizing work: the gig economy (Prassl 2018; Rosenblat 2018); and it “epitomizes a new form of the firm itself”: the platform company (Rahman & Thelen 2019, 2). Moreover, it has become a model for a host of Uber-for-X copycats, which not only try to emulate Uber’s idea of using digital technologies to tackle issues in the “real world” but also share its disdain for existing regulations and its aggressive style of doing business (Bradshaw & Bond 2019). Last but not least, Uber epitomizes broader trends of workplace “frissurization” (Weil 2014) and casualization (de Stefano 2016). The politics of Uber is thus also a harbinger of political debates – over the future of work and the digitalization of the physical world – yet to come. As James Farrar, Uber driver and co-claimant in a court case against the company, warns: “If Uber are successful in having this business model (…), then I can guarantee you on every high street, in retail, fast food, any industry you like, the same thing will go on” (Davies 2017).
This study makes two main contributions. First, it provides an empirically rich answer to the puzzle of why New York first failed and then succeeded in regulating Uber. In doing so, it also develops and tests a theoretical framework that helps us understand the politics of platform capitalism more generally, that is, how regulations of platform companies are “produced, reproduced, contested and changed” (Kjaer & Vetterlein 2018, p. 498). This increasingly matters as platform companies make their way into more and more areas of contemporary societies and economies. Second, it further develops the theoretical constructs on which it draws, brings them into dialogue with each other, and empirically applies them in a way that aligns ontology and methodology (Hall 2003). It thus contributes, both empirically and theoretically, to our understanding of coalitional politics, ideas in politics, and business power.

This article proceeds as follows: I will first discuss the rise and politico-economic nature of platform companies. I will then outline my theoretical framework, specifying the relationship between ideas and interests, and, more specifically, between narratives and coalition formation. After presenting my methodological approach, I will discuss my results and defend them against alternative explanations. I conclude by briefly discussing the implications (and limitations) of my findings.

2. The rise and politics of platform capitalism

Platforms are digital infrastructures that enable novel interactions between two or more economic actors (Srnicek 2017, p. 43; Cusumano et al. 2019, p. 13). Their value derives not from the things they produce but from their ability to benefit from the interactions they both facilitate and organize. Some platforms, like Uber, specialize in intermediating the interaction between buyers and sellers of labor (Prassl 2018, p. 5). By making it easier for people to find, trust, and pay each other, such platforms reduce transaction costs and improve economic coordination, often disrupting existing industries in the process. While this can represent genuine innovation, it also creates a host of regulatory problems (de Stefano 2016; Prassl 2018) that require platform companies to actively managed their non-market environment (Bach & Blake 2016).

In fact, practices of regulatory arbitrage and entrepreneurship have become central to the business model of platform companies. Regulatory arbitrage means taking “advantage of a gap between the economic substance of a transaction and its regulatory treatment” (Fleischer 2010, p. 230). Uber engages in two forms of regulatory arbitrage. First, it brands itself as a technology and not as a transportation company to avoid taxi regulations. Second, it (mis-)classifies its workers as independent contractors to evade employment law obligations (Prassl 2018, p. 21). Regulatory entrepreneurship, by contrast, refers to attempts to actively change the law, as opposed to “merely” exploiting existing legal gray areas. Platform companies like Uber “are built around and based upon a plan to change the law (…). For these companies, political activity has become a critical part of business strategy” (Barry & Pollman 2017, p. 386).

In addition to shaping their regulatory environment, platform companies also strategically manage public perceptions by (re-)framing the debates about them (Bach & Blake 2016; Uzunca et al. 2018). They use, for example, the “myth of technological exceptionalism” to exempt themselves from regulations (Rosenblat 2018, p. 34). And they have cultivated an “art of doublespeak” (Rosenblat 2018, p. 177) – like rebranding work as “rides,” “hustles,” “lifts,” and “gigs” – to manipulate regulators and the public (Prassl 2018, pp. 31–50).

Accordingly, the politics of platform capitalism often follows a pattern of “disruptive regulation” (Collier et al. 2018): relying on their reputation as do-gooders and innovators (perception management), platform companies “barge into” a market by ignoring if not the letter then the spirit of the law (regulatory arbitrage), and then “buy, bully and bamboozle” their way to a favorable regulatory response (regulatory entrepreneurship) (Borkholder et al. 2018). These tactics may not always be successful, but there is no doubt that contested existing regulatory regimes is as much part of the business model of most platform companies as disrupting existing markets.

With the sites of contestation ranging from the court of law to the court of public opinion, from town halls to town squares (Serafin 2019), platform companies often rely on the full arsenal of their business power. They use the threat of exiting a market to overturn proposed regulations (structural power) (Collier et al. 2018, p. 925). They assemble high-ranking lobbyists and enlist the support of non-governmental organizations to exert direct pressure on regulators (instrumental power) (Collier et al. 2018, p. 927). And they benefit from the appreciation,
even admiration, that many consumers (as well as the public at large) have for their services (platform power) (Culpepper & Thelen 2019, p. 3).

Platform power refers to the ability of platform companies to directly mobilize their consumers as corporate grassroots activists. For example, when scooters appeared all over the streets of Santa Monica, the city filled a criminal complaint against the scooter company Bird. Bird responded with a button in its app that encouraged its consumer to send emails to local lawmakers. The city yielded to the flood of emails and authorized Bird’s operation after the company agreed to a small settlement (Manjoo 2018). Platform power thus allows platform companies to reduce the transaction costs of collective action by reaching many individuals with zero marginal cost, and by nudging them toward “civic” action with ease-to-use “protest” options (Tzur 2017, pp. 16–17).

This ability to weaponize consumers as lobbyists, however, comes at the price of high public visibility. This visibility – the flipside of popularity – often amplifies the voice of critics who want to expose the business models of platform companies as exploitative and harmful (Culpepper & Thelen 2019). For example, after workers complained about the tipping policy of the grocery delivery platform Instacart, which paid its contract workers less the more they were tipped, national newspapers and unions quickly picked up on the story. The event sparked a “national media sensation” (Roose 2019) and forced Instacart to change its policy in the space of only two weeks.

3. Ideas in politics

The last section was meant to demonstrate the inherently political nature of the business model of platform companies. This section outlines how understanding the general interplay of ideas and interests as well as the more specific dynamics of narrative framing and coalition formation help us understand when platform companies succeed and when they fail in the essential task of managing their non-market environment.

3.1. What are ideational explanations and what are they good for?

In How to Map Arguments in Political Science, Parsons (2007) distinguishes between structural, institutional, ideational, and psychological logics of explanation, based on the element that does the causal work. Like different LEGO bricks, these four logics of explanation are building blocks that can – and should – be combined when crafting complex explanations. They invoke different but not mutually exclusive arguments as to why actors do what they do. For structuralists in Parsons’ sense (e.g. Marxists), actors’ interests are the result of their position in a given material structure (e.g. the economy). For institutionalists, actors’ interests are the result of their position in an institutional setting (e.g. a political system). For ideational scholars, by contrast, actors’ interest are the result of how they interpret the world around them (Parsons 2007, p. 96).

Since the world does not “come with an instruction sheet” (Blyth 2003), actors need to actively interpret it and their situation in it. They do so by drawing on ideational elements such as frames, identities, metaphors, or narratives. Ideational elements help actors to make sense of the uncertainty that surrounds them. Frames, for example, reduce uncertainty by promoting “a particular problem definition, causal interpretation, moral evaluation, [or solution]” (Entman 1993, p. 52). This uncertainty, however, is not total (Culpepper 2008, p. 27), and we can reasonably impute certain interests to actors based on their structural or institutional position (Scharpf 1997, pp. 51–68).

But the interests of actors remain – to the extent that the world is uncertain – underdetermined by their institutional and structural positions (Blyth 2003). The more uncertain the world, the more actors – even rational ones – have to rely on ideational elements to make sense of it (Beckert 1996). For example, states may draw on ideas articulated and circulated by epistemic communities of experts to “identify their interests” (Haas 1992, p. 2) on issues marked by high levels of uncertainty (e.g. ozone depletion).

Importantly, however, actors are not only frame-takers but also frame-makers. They routinely engage in ideational politics to change other actors’ understanding of how the world works (worldview politics), or their understanding of themselves (identity politics) (Mukand & Rodrik 2018). Actors can (re-)frame issues to convince other actors that “it is in their interest to support or oppose concrete policy alternatives” (Bélard 2009, p. 708); and they can “deliberately portray [problems] in ways calculated to gain support for their side” (Stone 1989, p. 282). By reframing the debates around a regulation, for example, companies – as well as their opponents – can
thus shape “which actors care about [this regulation and] how those actors perceive their interests” (Bach & Blake 2016, p. 67).

Ideational explanations can thus refine our conception of actors’ interests under conditions of uncertainty. In particular, they illuminate how actors interpret their interests, and, conversely, how actors advance their own interests by influencing how other actors interpret theirs. Ideational explanations are therefore not opposed to institutional or structural explanations, but contribute to more “rounded accounts of agency within institutional [or structural] settings” (Bell 2012, p. 718). In fact, institutional and structural explanations complement ideational explanations by providing useful expectations regarding actors’ interests, and by specifying the conditions under which certain ideas will be more or less viable (Hall 1989). An idea, for example, will be more viable the better it fits the interests of powerful actors (Sikkink 1991, p. 26; Hansen & King 2001, p. 256). What is more, an idea will be more convincing if it is in accordance with or make sense in light of other ideas, especially culturally dominant ones such as widely held beliefs or hegemonic values (Sikkink 1991, p. 26; Weir 1992). Figure 1 summarizes this conceptualization.

3.2. Narratives as coalition magnets

One of the ways in which ideas can become, in the words of Max Weber, “effective forces in history” is in the form of narratives. Narratives are “frame bundles” (Leifeld & Haunss 2012, p. 384) woven together along an overarching story arc and populated by villains, victims, and heroes (Shanahan et al. 2013; McBeth et al. 2017). Narratives can be a powerful tool in the hands of “narrative entrepreneurs” that want to contain or change the composition of coalitions (McBeth et al. 2017, p. 244) – not least because narratives are many actors’ “preferred heuristic [for] making sense of the world” (McBeth et al. 2017, p. 233).

More specifically, narratives can serve as “coalition magnets” around which actors can “frame interests, mobilize supporters and build coalitions” (Béland & Cox 2016, p. 429). Narratives will be more successful as coalition magnets if they are ambiguous and attractive enough to appeal to a variety of actors (Béland & Cox 2016, p. 432; Parsons 2016, p. 456). Previous scholarship has emphasized the coalitional underpinnings of institutional stability and change (Hall 2016). And it has shown that when issue salience and uncertainty are high, diverse coalitions of “strange bedfellows” will be particularly successful (Phinney 2017; Junk 2019). Therefore, one of the main ways in which narratives can “exert influence ‘of their own but not by themselves’” (Parsons 2016, p. 451) is by affecting the composition of coalitions and, more specifically, by uniting diverse groups of actors.

![Figure 1](https://example.com/figure1.png)

**Figure 1** The conceptual relationship between ideas and interests.
4. Discourse coalitions and discourse network analysis

How can we operationalize coalitions and narratives? According to the advocacy coalition framework, the “principal glue holding a coalition together” (Sabatier 1998, p. 105) is agreement over policy core beliefs – understood as beliefs about “the seriousness of the problem, its basic causes, and preferred solutions for addressing it” (Jenkins-Smith et al. 2017, p. 191). If we assume that these beliefs are expressed, contested, and negotiated discursively (Schmidt 2008; Boin et al. 2009), we can operationalize political coalitions as discourse coalitions.

Discourse coalition are made up of “actors who share a social construct [and] try to impose their views of reality on others, sometimes through debate and persuasion, but also through manipulation and the exercise of power” (Hajer 1993, p. 45). While not all policy beliefs are expressed in discourse, discourse coalitions are good proxies for the “underlying” political coalitions, especially under conditions of high saliency (higher likelihood that actors will publicly express their interests) and high uncertainty (higher likelihood that actors will participate in discursive “framing contests” in order to win allies for their preferred problem definitions or policy solutions) (Boin et al. 2009).

DNA offers the methodological tools to study the “discursive layer of subsystem politics (Leifeld 2013, p. 173). DNA makes it possible to simultaneously identify policy beliefs and the actors that express them (Leifeld & Haunss 2012, p. 389). By combining content and network analysis, DNA allows us to analyze the structure and structural change of discourse coalitions while also keeping an eye on the frames that different actors use. It is thus well suited to a theoretical framework emphasizing the interplay of both.

How does DNA work in practice? In the first step, 151 newspaper articles on the regulation of Uber in New York were collected and coded. The coding procedure took claims (and not articles) as the unit of analysis (Koopmans & Statham 2010). A claim is a public speech act in which an actor expresses a position, frames a problem, or demands a solution. A claim, in other words, is the articulation of a policy belief. Claims were coded if they expressed an opinion on the regulation Uber in New York (e.g. regulation would hurt people living in the outer boroughs), if they have an identifiable author (e.g. Uber), and if they clearly expressed agreement or disagreement with the said belief. This coding procedure resulted in 914 statements by 97 actors on 47 policy concepts.

In the second step, networks and policy beliefs were visualized and analyzed. This study focuses on actor congruence networks. In such networks, actors are the nods, edges represent common policy beliefs, and the edge weight represents the number of common policy beliefs. The idea is that if actors agree (or jointly disagree) on one or several policy beliefs, they are likely to be part of a (discourse) coalition (Hajer 1993; Leifeld 2013, p. 174). Such clusters of actors can then be identified both visually and by community detection algorithms. At the same time, the policy beliefs that different actors express can be analyzed and categorized, and one can check whether actors identify victims, heroes, and villains, and integrate policy beliefs in overarching narratives (Shanahan et al. 2013).

5. The politics of Uber in New York

The regulation of Uber in New York presents a puzzle. Bill de Blasio, who became mayor of New York City in September 2013, tried to put a cap on Uber and other ride-hailing platforms twice, once in 2015, and then again in 2018. Both regulations were very similar in content, and both were vehemently opposed by Uber. However, while the first regulation failed, the second one was successful. Previous analyses of the politics of Uber have focused on differences in institutional legacies and constellations of interest groups (Tzur 2017; Thelen 2018). But given the absence of institutional differences and the similarity of involved interest groups, how do we explain the different fate of the two regulations?

The idea of a cap on Uber first appeared on the political stage in 2015, after Uber had experienced four years of rapid growth, the city a congestion crisis, and taxi owners a precipitous decline of the value of their medallions. New York City’s responsible regulatory agency, the Transport and Limousine Commission (TLC), had subjected Uber to vehicle inspections, background checks, and similar regulations before. But in contrast to such “safety regulations,” “economic regulations” that concern the supply of vehicles are much more controversial (Gilbert et al. 2002).
A cap is a quintessential economic regulation with obvious distributional consequences. It stops the TLC from issuing new for-hire vehicle licenses, which Uber drivers need in order to operate, and Uber needs in order to grow. The idea of a cap was therefore highly politicized from the outset and thus required a political and not just a regulatory decision. Accordingly, it was de Blasio’s government that introduced the cap as part of a wider agenda to “advance the city’s vital policy goals for passengers, drivers and the public” (Flegenheimer, 2015), thus linking it to broader notions of the public good. In particular, de Blasio initially sold the cap as a way to mitigate the city’s looming congestion crisis. The TLC, meanwhile, was careful to portray itself as “independent” from political influences (Flegenheimer & Fitzsimmons, 2015). It only publicly positioned itself after the cap was proposed, even though it also viewed the cap or a similar regulation as “inevitable” (Gonen et al., 2015).

For Uber, the cap was bad news. By undercutting the ‘cross-side network effects’ at the heart of its business model (Cusumano et al., 2019, p. 17), the cap would hit Uber where it hurts. Simply put, Uber attracts more drivers the more consumer it has, and it attracts more consumers the more drivers it has. Since rapid and continuous growth are crucial to kickstart and sustain this positive feedback loop, we can think of Uber’s opposition to a cap as a core, structurally derived interest. This economic interest in rapid growth was further fueled by cheap venture capital and supercharged by a growth-at-all-costs mindset deeply anchored in Uber’s corporate culture (Isaac, 2019).

Thus, when de Blasio proposed a cap on the growth of for-hire vehicles, Uber’s opposition was vehement. Not only is New York one of Uber’s biggest markets. A (un-)successful regulation in New York would also have signaling effects across the country (Tusk, 2018, p. 106). But Uber had a problem. de Blasio’s Democrats had a 48–3 majority in the City Council, and Uber knew that mayors “generally don’t lose City council votes” (Pillifant, 2015). Moreover, New York had a tightly regulated taxi market with a well-organized incumbent, which made it even harder for Uber to stop the bill (Tzur, 2017).

The question Uber had to ask itself was why “twenty-six members of the council [would] turn on the mayor [and the well-entrenched taxi industry] to help a startup?” (Tusk, 2018, p. 107)? Uber needed to give them a reason. And it hired Bradley Tusk, a colorful consultant whose mission is to save startups from “death by regulators” (Tusk, 2018, p. 13), to give them one. Tusk’s job was to make “the political consequences of voting against Uber even more painful than voting against the mayor” (Tusk, 2018, p. 107). Doing so, Tusk reasoned, would require an inside and an outside game.

On the one hand, Uber hired an army of lobbyists to put direct pressure on councilmembers. On the other hand, Uber generated “massive public opposition to the bill” through everything from TV and radio ads to clergy, community, and driver support (Tusk, 2018, p. 107). This required not only a deep war chest but also a powerful narrative that could mobilize such a coalition of “strange bedfellows” in opposition to the proposed regulation. Uber knew that to function as a coalition magnet, such a narrative had to appeal to many New Yorkers, including de Blasio’s progressive base. And the best way to develop such a narrative was to attack de Blasio from where he would least expect it: from his left (Tusk, 2018, p. 104).

Uber thus portrayed itself as a boon to minorities that were traditionally discriminated against by taxis as well as for people living in the outer boroughs that were traditionally ignored by them. Uber also argued that it provided much needed jobs to working-class and minority New Yorkers. Putting a cap on the growth of Uber would thus hurt the very groups that de Blasio claimed to protect. Knowing full well about de Blasio’s progressive credentials, Uber gleefully called the cap “about the least progressive thing [one] can imagine doing” (Dawsey, 2015a). At the same time, Uber cast itself as an innovative company whose growth was stifled by a corrupt coalition of entrenched interests. Uber repeatedly questioned de Blasio’s motives. It claimed that de Blasio was in bed with the taxi industry, and that the cap was his way of thanking them for their campaign contributions. “When something in government does not make sense”, Uber insinuated, “usually there is another motive” (Dawsey, 2015a).

Uber ran a series of television ads in the run-up to the vote that further brought this powerful narrative of exclusion and collusion to life. One depicts a nurse trying to get to the nightshift, another one a black father with his baby trying to get to the hospital. The message is clear. Taxis have always ignored people like them, while Uber is there for them. But if the city were to put a cap on Uber, things would go back to how they used to be (the Uber cars that are meant to pick these people up literally disappear in the clip). Another ad shows testimonials from drivers, most of the immigrants, whose lives have changed for the better thanks to Uber. A cap, they
let the viewer know, would be good for “millionaire medallion owners” but disastrous for them. Both ads accuse de Blasio of “pushing the agenda of his big taxi donors” and ask him not to “strand” New Yorkers by putting “taxi donors ahead of jobs”.

Uber’s narrative has clear villains (the fat cats of the taxi industry and their partner in crime, Bill de Blasio), victims (minority New Yorkers and people living in the outer boroughs who are in need of both rides and jobs), and a shiny hero who finally ends the victims’ decade-long plight (Uber itself). This narrative proved very successful. In particular, it drove a wedge between de Blasio’s Democratic base. Brooklyn Borough president Eric Adams, a black Democrat, sided with Uber, knowing firsthand that yellow cabs were often “just passing by African-Americans, even in business attire” (Rivoli et al. 2015). This sentiment was shared by black activists and resonated with many in the City Council. Most likely, they would have not turned against the mayor had Uber simply mobilized its amorphous pool of users with a convenience story.

New York State Comptroller Scott Stringer and Governor Andrew Cuomo, who already had a strained relationship with de Blasio, also came out on the side of Uber, arguing that the government should not be in the business of stifling innovation and growth. In addition, Uber’s narrative also appealed to many residents and even celebrities like Ashton Kutcher or Kate Upton, who attacked de Blasio on social media. Uber drivers themselves were also on Uber’s side, not least because the working conditions of drivers were simply not part of the debate.

Figure 2 depicts the frames most commonly used during the discourse. It confirms that Uber’s collusion–exclusion–innovation narrative went almost unchallenged, and was, especially in the case of exclusion and innovation, also widely articulated by actors other than Uber itself. By and large, de Blasio was unable to counter the impression that he was colluding with the taxi industry at the expense of his own base. A poll conducted shortly after the vote showed that 65 percent of New Yorkers thought that the cap was payback for campaign donations from the taxi industry (18 percent did not think so) (Quinnipiac University 2015). Conversely, de Blasio main justification for the cap – that it would reduce congestion – stood on shaky empirical ground and was only shared by 34 percent of New Yorkers (whereas 53 percent disagreed) (Quinnipiac University 2015).

When he realized that his congestion frame did not catch on, de Blasio started to argue that the government, not Uber, was acting in the public interest, and that New Yorkers should not take lessons on inequality from a “Walmart-on-wheels.” However, this public-interest frame lacked credibility and was too unspecific to mobilize particular actors. Other more promising issues like disability rights remained peripheral and were only pushed by de Blasio’s camp when they realized that they were losing the battle, that is when it was too late. The “changing messages allowed Uber to advance its contention that City Hall had no real reason for banning them. (…) By
the end, it was like, why the hell are we doing this’, said a liberal City Council member and ally of the mayor. “The messaging was all over the place” (Dawsey 2015b).

Likewise, de Blasio mostly failed to make the cap about consumer and worker’s rights, even though many actors cared about issues like Uber’s controversial surge-pricing and the wages and working conditions of drivers. It was not that Uber was without opponents. In fact, Uber has the highest degree centrality in the actor conflict network, meaning that more actors disagreed with Uber than with any other actor in the network. Even more than Uber’s successful mobilization strategy, it is this failure on de Blasio’s side to mobilize Uber’s opponents that explains the failed regulation.

In addition to being a successful narrative entrepreneur, Uber also heavily used its platform power to mobilize its consumers more directly. Days before the election, the company introduced the “de Blasio version” of its app, depicting how Uber would look like if the bill was successful, that is, without any cars around and wait times multiplied by 10. This came with an invitation (including a link) to “Take Action” and “Email the Mayor and City council” (Rosenblat 2018, p. 182). Priming New Yorkers on their identity as consumers, Uber managed to drown de Blasio’s camp in a flood of angry emails, putting additional pressure on hesitant Democratic lawmakers (Mukand & Rodrik 2018; Culpepper & Thelen 2019).

The story presented here is borne out by the actor congruence network for the period before the first regulation. Figure 3 depicts actors (the nodes) and their agreements over policy beliefs (the edges between them). The actors that share many policy beliefs cluster together and can be understood to form a (discourse) coalition. Although Figure 3 shows de Blasio’s City Government surrounded by two support coalitions, these coalitions mainly comprise the taxi industry. This made it difficult for de Blasio to dispel accusations of collusion. Uber, on the other hand, is not only supported by more and a greater variety of actors. It also managed to bring central parts of the Democratic party into its coalition (the Borough Presidents and the Governor) and to divide the allegiance of others (the City Council and its Transpiration Committee). These visual observations are corroborated by various community detection algorithms.8

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Figure 3  Normalized actor congruence network (2014–2015). Weekly duplicates were removed. Average activity normalization was applied. The size of the nodes represent degree centrality.
The observed coalitional patterns clearly explain the political fate of the cap. In a “flat-out capitulation” (Rubinstein & Nahmias 2015), de Blasio quietly dropped the bill in exchange for some token concessions by Uber. Although the cap might have had the votes necessary to pass, the political and public relations fallout for de Blasio was growing bigger every day as a result of the combined strength of Uber’s inside and outside game. Had Uber only played one game, the cap might still have passed. But given both the direct pressure and the bright public spotlight and unfavorable publicity, many Democrats withdrew their support for the cap. In the end, de Blasio’s camp just wanted to put an end to Uber’s campaign, which Uber had promised to continue in case of a successful vote, even if this meant dropping the cap. Eventually, in the words of the New York Taxi Workers Alliance’s Bhairavi Desai, de Blasio “just basically caved” (Flegenheimer 2015).

The cap was off the table, and any further talk about it was made dependent on the outcome of a traffic study, which the city was to conduct. When the study was finally released in January 2016, it found no evidence that Uber was responsible for the increase in congestion. Instead, population growth, more tourists, and an increase in deliveries and street construction were identified as the culprits. While the cap was arguably already dead, the study was “the funeral notice” (Dawsey & Tangel 2016).

It was only in the summer of 2018 that the idea of a cap was brought back on the table. Why then? Tellingly, de Blasio resurrected the bill in the immediate aftermath of a number of highly publicized driver suicides. The suicides had drawn attention to the plight of taxi drivers in particular, many of which faced hardships after their earnings potential and the value of their medallions had plummeted as a result of the competition by Uber. In addition, congestion had continued to be a major policy problem. Thus, with the public spotlight on the personal and public costs of for-hire vehicles, de Blasio could exploit Uber’s political vulnerabilities and sound the bell for the second round of New York’s “car wars”.

It is important to note, however, that neither the situation of taxi drivers nor the issue of congestion were really news. The value of taxi medallions had dropped long before 2015, and congestion had already been the main issue in 2015. Moreover, it was far from clear whether a cap on Uber would be the right solution to New York’s traffic problems. After all, the city’s own study suggested otherwise. Even more importantly, with congestion pricing there was a tried and tested alternative with many supporters. And Uber itself was of course still a very skill and resourceful opponent – if anything, it had become more experienced. How, then did de Blasio manage to beat Uber in a fight that he had lost just three years ago?

The most important difference to 2015, I argue, was that de Blasio had a powerful counternarrative that allowed him to turn Uber’s exclusion narrative on its head (or feet). Figure 4 clearly shows that de Blasio now had the coalitional upper hand, and not only more but also a variety of supporters (again, coalitions can be understood as clusters of actors since these clusters represent shared policy beliefs). Uber used tricks from the same playbook as in the first regulatory battle, pushing the exclusion-discrimination-frame. And it was again successful in recruiting various civil rights groups to its cause. Uber was also part of a coalition that advocated for congestion pricing as a better way to reduce the city’s congestion problems. Thus, while Uber might have lost some of its earlier charm (I come back to this in the next section), it actually retained many of its allies and even won new ones.

What changed was that de Blasio was now able to mobilize Uber’s opponents and to stop the company from driving a wedge between the Democratic party. de Blasio no longer tied the fate of the cap to an empirical claim that he could not prove and that – in and of itself – mobilized few. Instead, he linked the congestion frame to the workers’-rights frame in a way that make for a powerful story. de Blasio’s story drew inspiration from two academic sources, which confirms that scientific information – especially if used as part of larger narratives – can play an important role in politics (Haas 1992; Jenkins-Smith et al. 2017, p. 192): Bruce Schaller’s report Empty Seats, Full Streets, which argued that companies like Uber were fueling urban congestion because of their low utilization rates; and a report by New School and Berkeley scholars, which argued that low wages incentivize Uber to put too many cars on the streets.

de Blasio used these ideational building blocks to kill two birds with one narrative stone. In de Blasio’s narrative, Uber became the villain for luring too many drivers on the street because it could afford not to pay them properly. This came at the expense of – often minority – drivers, who struggle to make ends meet, and New Yorkers generally, who suffer from slow traffic. The hero of the story is de Blasio himself, who saved the...
day by forcing these companies to use their drivers more efficiently. He did so by packaging two policies together: a cap on the issuance of new for-hire vehicle licenses and a minimum hourly pay rate.

de Blasio’s rationale was that Uber accepts high idle times for drivers because it improves the quality of its service (as there are more drivers available at any given moment). But Uber can only do so because it does not bear the costs in the form of congestion and low hourly wages. A cap puts a hard limit on Uber’s growth while also strengthening the bargaining position of drivers that already have a license. And a minimum pay rate, which is calculated based on projected per-minute and per-mile expenses (numerator) and utilization rates (denominator), incentivizes companies to use their drivers more efficiently in order to bring the utilization-rate close to 1 (i.e. 100%). This effectively serves as a dynamic cap on drivers as companies cannot afford to pay too many idle drivers, as low utilization-rates mean that they must pay their drivers more to meet the new wage floor requirement. Both policies promise to reduce congestion and to make Uber internalize the externalities of its business model. And they tell a powerful story in which Uber, and not taxis or de Blasio, profits at the expense of ordinary New Yorkers and marginalized groups.

The problem of Uber was thus redefined from one of exclusion–collusion–innovation to one of exploitation–fairness–public-mindedness. de Blasio was no longer a frame taker but a frame maker. By arguing that the growth of Uber was simultaneously responsible for congestion and the dire working conditions of drivers, he managed to mobilize a variety of actors while also uniting the Democratic party, whose members now had good reasons to question Uber’s discrimination narrative. Figure 5 shows that it was the inclusion of the widely supported workers’ rights frame – and not the congestion frame alone – that was the biggest difference to 2015. In addition, the greater prominence of disability rights – although not pushed by the government – further helped de Blasio’s cause by increasing the size and diversity of his coalition. It is also interesting to note that Uber’s collusion frame disappeared, presumably because the diversity of de Blasio’s coalition and the emphasis on working conditions made it difficult for Uber to accuse the Mayor of doing the taxi industry’s bidding.

After winning the discursive battle, de Blasio also won the political battle. In August, City Council approved a one-year cap on for-hire vehicles (which exempted wheelchair accessible vehicles) by a 39-to-6-vote and the
minimum pay rate by a 42-to-3-vote. This wage floor was later set by the TLC to $17.22, which substantially raised the average pay for drivers.10

6. Alternative explanations

There are three main counterarguments against the one offered here. While I will show that they do not fully bear out empirically or, by themselves, explain the different fate of the two regulations, they do form part of the enabling and constraining context of the political battles between Uber and de Blasio. As Figure 1 reminds us, the power of ideas depends on the context in which they are used, and this context is shaped by the structural and institutional position of the actors using them as well as by their fit with other powerful ideas.

First, one could argue that Uber itself had lost a lot of its charm between 2015 and 2018. There is certainly something to the claim that Uber’s initial shine has worn off as scandals hit the company and more and more people saw through the promises of the “sharing economy” – the paragon of which Uber had once been. Although the disenchantment of the sharing economy started before 2015, it is true that Uber suffered through a litany of scandals since 2015 (Isaac 2019). It is therefore worth asking to what extent the company’s reputation has suffered. In the absence of survey data, media discourse seems the best proxy for measuring Uber’s reputation.

Figure 6 shows the sentiment score of 1773 newspaper articles on Uber between 2012 and 2019.11 Neither of the four dictionaries used finds a strong decline in sentiment after 2015. In fact, only one dictionary finds a decrease at all, and the effect size of the difference is small. The other dictionaries find no or even the opposite effect. While this indicates that Uber’s reputation may not have suffered as dramatically as one might think, sentiment analysis is a coarse measure of public mood, and it seems implausible that Uber’s reputation has not taken a hit. But even if building a coalition against Uber was easier in 2018 because of the company’s damaged reputation, this coalition still had to be built. Doing so required narrative entrepreneurship of the kind de Blasio lacked in 2015 when Uber already had many opponents, that is, when it was already quite unpopular and potential allies were available.

Second, one could argue that New York’s Democrats have moved to the left since 2015, which made it easier to regulate Uber in 2018. Although this argument is intuitively plausible, it does not take into account that de Blasio already run on a very progressive platform in 2013; that the City Council was as overwhelmingly democratic in 2015 as it was in 2018; and that de Blasio had a close and very progressive ally in the then-Council Speaker Mark-Viverito. Partisanship thus seems an unlikely candidate for explaining the varied success of the
two regulations, especially since Uber was legalized in Democratic upstate New York in the summer of 2017 and since there is no general correlation between partisanship and the extent to which Uber is regulated (Collier et al. 2018, pp. 925–26).

The recent resurgence of socialist ideas within the Democratic party might have brought the issue of workers’ rights back to the fore, especially in the context of tech companies (e.g. the debate about working conditions in Amazon warehouses). This broader shift – as well as the attention the plight of drivers received in the aftermath of several taxi driver suicides – might have made it easier to mobilize around workers’ rights. But again, this opportunity had to be seized, and the issue of workers’ rights had to be plausibly linked to congestion to actually mobilize Uber’s diverse opponents.

Finally, one can argue that congestion was simply worse 2018 than it was in 2015. Again, this claim is not without merit, as congestion has indeed become worse after 2015 while the number of Uber cars has continued to increase. But there are three problems with this argument. First, in 2018 Uber could point to the city’s own traffic study, which had found that Uber was not to blame for New York’s congestion crisis. Second, traffic speed has actually decreased much more quickly before 2015 than before 2018 (Palagashvili 2018), so it is not obvious that congestion was a more immediate concern in 2018. Third, with congestion pricing, there was a widely supported alternative to the cap. Thus, even if New Yorkers were even more fed up with congestion in 2015 than in 2018, justifying the cap on congestion grounds was not necessarily easier given that now inconvenient evidence and a sound and widely supported alternative existed. The fact that de Blasio still managed to get the bill passed is more the result of his ability to link the congestion issue to the issue of workers’ rights than of greater structural pressure.

Figure 6  Sentiment analysis of news coverage on Uber. (a) Results for four different dictionaries (vertical lines represent the two regulatory attempts). (b) Mean sentiment values for the two different time periods with bootstrapped confidence intervals ($R = 10,000$). (c) The effect size of the difference between the two time periods using Cohen’s $d$. 

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Thus, neither of the three alternative explanations can account for the different fate of the two regulations, especially for the fact that Uber won the first battle. They do, however, point to the political and ideational context in which Uber’s and de Blasio’s narrative coalition building took place – contexts in which practices of coalition building, storytelling, and platform power need to be situated.

7. Conclusion

This article has argued that to understand the politics of platform capitalism, we need to understand the interplay of coalitions, narratives, and platform power. It did so in the spirit of analytic eclecticism, pragmatically utilizing and recombining concepts from different research traditions to tell a complex causal story about a concrete problem that real-world actors face. Based on a case study on the regulation of Uber in New York, it has developed and defended the claim that the size and diversity of coalitions explain the success or failure of regulatory attempts (Junk 2019); that the composition of coalitions is influenced by the clever use of narratives (McBeth et al. 2017); and that their simultaneous power and vulnerability both help and harm platform companies like Uber (Culpepper & Thelen 2019). Not incidentally, both Tusk and de Blasio drew very similar conclusions from their respective victories, stressing the importance of “better narratives” (Tusk 2018, p. 109), of “broad coalitions” and of fact-based but morally appealing “arguments” (de Blasio 2018).

There are two main implications of these findings for scholars of regulation and the politics of policymaking. First, they reinforce the observation that “rules and regulations are constantly contested” (Kjaer & Vetterlein 2018, p. 500), especially when novel technologies create affordances for regulatory arbitrage and entrepreneurship. As platform companies combine a disregard for existing regulations with the active mobilization of political support, regulatory agencies – like the TLC – increasingly find themselves at a loss as to how to rein in these companies without scarifying their political independence, at least when regulations are not widely popular (such as safety regulations) but concern highly politicized regulations with distributional consequences (Gilbert et al. 2002). This makes it so essential to understand the politics of regulatory response.

Second, the findings confirm that the political coalitions underlying regulatory responses are not set in stone. Instead, they can be turned around even in highly unfavorable circumstances, such as when Uber won the regulatory battle in 2015 despite having an overwhelming Democratic majority against it. More specifically, and perhaps more surprisingly, ideas matter a great deal for the politics of regulatory response. “Stories” in particular are a very powerful tool to justify policies – more so than “technical accounts” like de Blasio’s original claim that there is a causal link between Uber’s growth and congestion (for this terminology, see Tilly 2006). They also seem to be more emotionally arousing and cognitively appealing than the sum of the frames they are composed of (McBeth et al. 2017; Shiller 2019). Finally, stories can be used not only as coalition magnets (Béland & Cox 2016) that bring together different actors (Uber and civil rights activists). As this study shows, they can also be used as “coalition wedges” that divide similar actors (such as New York’s Democrats).

One limitation of this analysis is that while Uber contests regulations everywhere, it encounters very different institutional environments (Thelen 2018; Uzunca et al. 2018; Pelzer et al. 2019). This study controlled for institutional differences to better tease out the role of coalitions, narratives, and platform power. Future studies should aim to better understand how institutions (e.g. welfare regimes, policy legacies) affect the interests of actors, the success of narratives, and the dynamics of platform power. Thelen (2018), for example, has demonstrated how institutional differences can create different regulatory “flashpoints” around which the conflicts over Uber subsequently revolve. But as this study has shown, actors are not slaves of their institutional or structural circumstances. Through skillful framing and storytelling, they can influence the ways in which regulatory battles are framed and fought and therefore the ways in which actors perceive their interests and choose their coalitional alignments.13

Platform companies move into – and upend – more and more areas of our lives, creating a new class divide between the demanding and the on-demand (Madrigal 2019). Policymakers not only need to know how they should regulate platform companies but also how they can regulate them. Good policies require successful politics. And successful politics in the age of platform capitalism depends not only on political power in the traditional sense but also on the ability of actors to weave various issues into narratives that can mobilize a broad variety of actors.
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Endnotes

1 In psychological explanations, by contrast, actors “interpret” the world not through man-made ideational elements but through innate psychological biases (such as those theorized by prospect theory). For the sake of simplicity, I will not theorize psychological explanations here. There is, however, a large psychological literature that stresses the importance of ideational elements like narratives or metaphors for the ways in which humans understand themselves and the world around them (Lakoff & Johnson 2003; McBeth et al. 2017; Shiller 2019).

2 While narratives are often used in post-structuralist scholarship, this article follows a “neopositivist approach to narratives and discourse” (Shanahan et al. 2013, p. 455), arguing that although “narratives are representations of policy created by social actors, and thus have an inter-subjective nature, they can still be examined empirically using an objective epistemology” (Radaelli et al. 2013, pp. 502–03; Shiller 2019).

3 For more details, see online Appendix A.

4 The coding scheme was developed in an iterative manner, that is, codes were first developed inductively and gradually refined in multiple rounds of coding. After the coding scheme was complete, all previously coded articles were coded again in a deductive manner (Leifeld 2013, pp. 177–78). Policy beliefs were kept at a relatively low level of abstraction, that is, relatively close to what actors actually said. This minimized interpretive leeway and made sure that actors were only connected if they really agreed over a policy belief (for more details, see online Appendix B).

5 Uber had also caused a moral outrage when it used surge pricing during hurricane Sandy, which many viewed as price gouging. Eventually, Uber had to agree to limit surge pricing during emergencies, which is an interesting example for the persistence of moral economies in modern societies (Götz 2015).

6 The frames in Figure 2 were aggregated from the less abstract policy beliefs underlying the DNA. See online Appendix B for more details as well as a complete list of policy beliefs.

7 For more details, see online Appendix C.

8 For more details, see online Appendix D.

9 This is again corroborated by several community detection algorithms. See online Appendix D for more details. One might also infer that Uber was no longer able to drive a wedge between Democrats from the fact that the actor congruence network became more polarized over time. This might be the result of the City Council no longer dividing its allegiance between Uber and de Blasio. See online Appendix E for details.

10 The original 12-month cap was later extended by the TLC, whose chair and board members are appointed by the Mayor with the advice and consent of the city council. Soon after, Uber unsuccessfully sued the city over the regulations. The TLC is also in charge of enforcing the regulations, which makes it an interesting object of study for future analysis of the politics of enforcement and the regulatory “afterlife” of de Blasio’s legislation. It is also worth noting that both Uber and Lyft stopped onboarding new drivers soon after the minimum pay rate went into effect, which suggests that the new regulation had its desired effect.

11 For more details, see online Appendix F.

12 The high public visibility of platform companies could make it easier for workers and unions to mobilize the public around workers’ rights. Perhaps somewhat paradoxically, this might help undermine the long dominance of consumer over worker issues in American politics.

13 This is of course particularly true for novel, high-uncertainty policy areas where actors are unclear about their interests and coalitions have not congealed into more stable social blocs.

References


Supporting information
Additional Supporting Information may be found in the online version of this article at the publisher’s web-site:

Appendix S1: Supplementary Information