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The growth of online labour platforms (e.g., Uber) and social media platforms (e.g., Facebook) has been accompanied by a growing chorus of voices critical of their socio-economic effects. While the initiation of lawsuits and enactment of legislation have been the preferred mechanisms for redressing the maladies of 'platform capitalism', in recent years, there has also been a growth of bottom-up, collective action against both types of platforms. One such effort is through the creation of cooperative, democratically controlled alternatives to corporate platforms. This article unpacks the underlying, fundamental motivations for the formation of platform cooperatives. It explores how Merton's role-set theory provides fresh insight into the characteristics of platform capitalism and why users may seek alternatives such as platform cooperatives. The article begins with a tour of platform capitalism by signposting three of its distinguishing features: the concentration of power in corporate governance and markets, the construction and exploitation of digital profiles and personae, and the cultivation of role and role-set conflicts by the blurring of user statuses. I then apply role-set theory to a particular user – an Uber driver – to reveal the role and role-set conflicts they routinely encounter, and which is an important factor behind the precarious economic condition of many online labour platform users. I subsequently evaluate the prospects and limitations of platform cooperatives reconciling the aforementioned conflicts by conferring on users the status of 'member'. While the member status does reconcile some of these conflicts, the literature on cooperative governance reveals that granting membership is not a cure-all and there is potential for new conflicts to emerge (e.g., conflict between director-members and ordinary members). I conclude with an analysis of how these potential conflicts faced by members may be overcome through best practises from cooperative governance (e.g., short term limits, role rotation).

1. A brief tour of platform capitalism

Platform companies have become major players in the global economy. In contrast to traditional 'pipeline' businesses that sequentially create and transfer value to a single class of consumers, these platform businesses seek to encourage value-creating interactions between external producers and consumers. This is achieved through the technological architecture of the platform, which facilitates these interactions and supplies the governance rules that allow transactions to take place in low-trust environments.² A confluence of factors have led to the ubiquity of online platforms, from burgeoning internet connectivity to the diminishing cost of cloud-computing and smartphones to the allure of sharing as a practice.³ Platform companies stress that their business model allows workers to expand their incomes, enjoy greater work flexibility and maximise under-utilised assets, while consumers can benefit from lower prices as well as a greater variety and quality of services. However, at the same time, more critical assessments of the platform business model have emerged, questioning the neutrality of platform companies as a mediator of interactions between parties, the exploitation of their market position, and their lack of accountability.⁴ In considering platform-mediated 'gig' work, economists, economic historians and sociologists have traced the genealogy of the precariat riding for Deliveroo, driving for Uber and micro-tasking for Amazon Mechanical Turk to the proletariat in lumber yards, dockyards, retail service and factories on temporary contracts.⁵ As Standing notes, for those who have slipped into this precariat class, rising anger, anomie, anxiety and alienation is a common experience.⁶ Thus, while platforms are typically associated with sleek, frictionless software applications and opportunities for supplemental income,⁷ the blood, sweat and tears, humiliations and frustrations needed for gig platforms to function are all too real. Scholars have documented the harrowing experiences of drivers being subject to sexual harassment by pas-

¹ Morshed Mannan is a Meijers PhD candidate at Leiden University and a Max Weber Fellow at the European University Institute. This research is funded by the Meijers Research Institute and Company Law Department of Leiden Law School, as well as the European Research Council (ERC) under the European Union's Horizon 2020 Research and Innovation Programme (Grant Agreement No. 865856). The author would like to thank the special issue editors, J. Wong and K. Nabben for their helpful comments and suggestions. Usual disclaimers apply.

² Geoffrey Parker, Marshall Van Alstyne and Sangeet Paul Choudary, *Platform Revolution: How Networked Markets Are Transforming the Economy – and How to Make Them Work for You* (WV Norton 2016) 5.

³ Martin Kenney and John Zysman, 'The Rise of the Platform Economy' (2016) 32 *Issues in Science and Technology* 61, 61.

⁴ Lucian A Bechuk and Kobi Kastiel, 'The Perils of Small-Minority Controllers' (2019) 107 *The Georgetown Law Journal* 1453, 1456-1457; Tarleton Gillespie, 'The Politics of "Platforms"' (2010) 12 *New Media & Society* 347; Maurice E Stucke, 'Should We Be Concerned About Data-Opolies?' (2018) 2 *Georgetown Law Technology Review* 275.

⁵ Louis Hyman, *Temp: How American Work, American Business, and the American Dream Became Temporary* (Viking 2018) 87, 133-134; Lynne Pettinger, *What's Wrong with Work?* (1st edition, Policy Press 2019) 63; Guy Standing, *The Precariat: The New Dangerous Class* (Bloomsbury Academic 2011) 10, 14-15.

⁶ Standing (n 5) 24.

⁷ Juliet B Schor and others, 'Dependence and Precarity in the Platform Economy' (2020) 49 *Theory and Society* 833, 841-842.

sengers who are not adequately investigated and penalized, drivers fearing that they are constantly under surveillance, as well as couriers being surreptitiously shifted from hourly wages to a piece-work system, and thereby experiencing the increased self-imposed pressure to deliver more.⁸

Some have argued that platform-mediated gig work is simply a byproduct and amplification of existing neoliberal economic policy,⁹ where the state actively encourages its citizens to monetize more of their time, including through the supply of their labour to gig work platforms. Yet, while building on past capitalist practises, there are arguably three distinguishing characteristics of platform capitalism. Firstly, there is a growing concentration of market power among a small set of operators. Platforms such as Google, Amazon and Facebook have received the most attention in this regard, but the anti-competitive behaviour of the larger food delivery platforms have also come into focus. In half of the US's largest cities, a single platform controls more than 50% of the market for food delivery.¹⁰ Several food delivery platforms have common institutional shareholders and are in a continual process of acquiring one another, with the Just Eat Takeaway.com acquisition of Grubhub being a recent example.¹¹ Large, listed platform companies involved with gig work do not have dual or multi-class share structures in the same manner that several large social media companies do. This prevents certain shareholders from having voting power that is disproportionate to the shares they own, but as Doorn and Badger observe, even institutional investors with less eye-catching voting power in individual companies can still exercise significant control over entire markets (e.g., ride-hailing), due to the size of their portfolios and the facilitation of partnerships across portfolio companies.¹²

Secondly, these companies collect data to create and exploit digital personae and digital profiles of users for financial benefit. This is as much a feature of gig platforms as social media platforms.¹³ They accumulate personal data from users voluntarily (e.g., creating a work account) and involuntarily (e.g., through the use of smartphone sensors), so as to create self-projected and imposed 'digital personae' of individuals.¹⁴ In addition, through the use of profiling technologies, they inductively develop hypotheses about an un-

known or potential users' traits, behaviours and actions; in effect, creating a digital profile. These hypotheses are tested through the application of these profiles, which lead to the individuation and identification of a user as a member of a group or a category.¹⁵ A digital profile can consequently become an imposed digital persona once an individual is deemed to match the profile.¹⁶ These personae and profiles assist platforms in their personalization and 'matchmaking' service, but have other uses depending on the revenue model of the platform. For gig platforms, which are reliant on the number of transactions that are successfully completed, the digital personae and profiles contribute data points about locations where there is a surge in demand and monitoring active use of a platform.¹⁷ The characterization of the labour-power needed to generate these data points as simply "amalgams of ever-changing, dynamic, lively data points", facilitates the commodification of labour by the platform, and allows for programmers "to think of themselves as builders, not managers" of people.¹⁸

Thirdly, I argue, building on the ontological premise that users are dynamic data points, platform capitalism exploits the re-purposing, blurring, and mischaracterization of users' *statuses* through its socio-technical and business strategies to serve the platforms' own ends.¹⁹ This is in contrast to the past when users, particularly of mass media, were conceived as a standard, universal person.²⁰ Instead, 'digital hyperconnectivity' has contributed to new constructions and configurations of the self, across gig platforms and beyond.²¹ The next section will elaborate on how role-set theory can help reveal and conceptualise this third, distinguishing feature of platform capitalism and explain how platform companies in particular benefit from the conflicts that ensue.

2. Applying role-set theory to platform users

In this section, I will draw on role-set theory,²² to explain the development of digital status sets by individuals and the consequent expectations and responsibilities that such statuses entail. The growing capacity of platforms to 'see' the habits, tastes and preferences of both users and (to a

8 Alexandra J Ravenelle, *Hustle and Gig: Struggling and Surviving in the Sharing Economy* (University of California Press 2019) 106; Alex Rosenblat, *Uberland: How Algorithms Are Rewriting the Rules of Work* (First edition, University of California Press 2018) 139-140, 148-149.
 9 Evgeny Morozov, 'The "Sharing Economy" Undermines Workers' Rights' *Financial Times* (14 October 2013) <<https://www.ft.com/content/92c3021c-34c2-11e3-8148-00144feab7de>> accessed 25 November 2019.
 10 Maureen Tkacik, 'Rescuing Restaurants: How to Protect Restaurants, Workers, and Communities from Predatory Delivery App Corporations' (American Economic Liberties Project 2020) No. 7 10.
 11 Just Eat Takeaway.com, 'Just Eat Takeaway.Com to Combine with Grubhub to Create a Leading Global Online Food Delivery Player' (*Takeaway.com*, 10 June 2020) <<https://bit.ly/364k509>>; Tkacik (n 10) 6.
 12 Niels van Doorn and Adam Badger, 'Platform Capitalism's Hidden Abode: Producing Data Assets in the Gig Economy' (2020) 52 *Antipode* 1475, 1490.
 13 Ibid. 1475-1476.
 14 Ibid. 1482; Arnold Roosendaal, *Digital Personae and Profiles in Law: Protecting Individuals' Rights in Online Contexts* (Wolf Legal Publishers 2013) 8-9.

15 Mireille Hildebrandt, 'Defining Profiling: A New Type of Knowledge?' in Mireille Hildebrandt and Serge Gutwirth (eds.), *Profiling the European Citizen* (Springer Netherlands 2008) 17-19.
 16 Roosendaal (n 14) 35.
 17 Stephen R Miller, 'Urban Data and the Platform City' in Stephen R Davidson, Michèle Finck and John J Infranca (eds.), *The Cambridge Handbook of the Law of the Sharing Economy* (Cambridge University Press 2018) 196-197.
 18 Eran Fisher and Yoav Mehozay, 'How Algorithms See Their Audience: Media Epistemes and the Changing Conception of the Individual' (2019) 41 *Media, Culture & Society* 1176, 1188.
 19 Jack M Balkin, 'Fixing Social Media's Grand Bargain' (Hoover Institution 2018) Essay 1814 4 <<https://perma.cc/8UBR-YXA6>>; Daniel Neyland, 'On Organizing Algorithms' (2015) 32 *Theory, Culture & Society* 119, 122.
 20 Fisher and Mehozay (n 18) 1179.
 21 Rogers Brubaker, 'Digital Hyperconnectivity and the Self' (2020) 49 *Theory and Society* 771, 772; Doorn and Badger (n 12) 1479.
 22 Robert K Merton, 'The Role-Set: Problems in Sociological Theory' (1957) 8 *The British Journal of Sociology* 106, 110-112; Lance W Roberts and Susanne von Below, 'Role-Set Theory and Modernity: Transforming Experience into Understanding' in Nikolai Genov (ed), *Advances in Sociological Knowledge: Over half a Century* (VS Verlag für Sozialwissenschaften 2004) 112.

certain extent) non-users²³ enables them to shape an individual's 'status set' and consequently, the conflicts they experience both online and offline. While the construction of such status sets is a ubiquitous experience, platform companies deliberately seek to sow confusion about what users' statuses are. This is because they benefit from users experiencing conflicts between the statuses they hold simultaneously (i.e., 'role conflicts') and the conflicts they engage in with others (i.e., 'role-set conflicts'). Sociology has, arguably, been "complacent about the notions of status and role"²⁴ and how power centres define roles. Role-set theory thereby enables a better understanding of how the expectations of others affects an individual's subjectivity. 'Status' refers to a social position that an individual is recognised as occupying, entailing particular rights and obligations in a social structure,²⁵ while a 'status set' refers to a collection of all the statuses that one may hold.²⁶ Statuses may be ascribed, for instance through birth, or achieved, through training or by entering into contractual agreements.²⁷ The related concept of 'role', is described as being the "dynamic aspect of a status", as it involves the performance of the rights and duties attached to a status.²⁸ Thus, a role involves displaying a set of behaviours and attitudes that are oriented to the expectations of others about said status. The various, relevant audiences of a role are together referred to as a 'role-set'.²⁹ For instance, a person performing their status as a corporate lawyer will have a role-set that includes their clients, their colleagues and partners of their firm. A role conflict takes place when a person performing the role of one status finds that it is incompatible with another status that the person holds, while role-set conflicts take place when a person has conflicting obligations to different role-set partners within a single status.³⁰

Evan and Levin explain this distinction using the example of the stockbroker profession. A stockbroker may have five statuses in their status-set, as an agent when conducting transactions with a client's shares, as an investment advisor, a securities dealer when conducting transactions for themselves, as an underwriter for a company's initial public offering, and as a director elected by the public shareholders he sold shares to.³¹ A role conflict arises when a stockbroker uses inside information concerning investee companies obtained through personal connections in their status as a director to

benefit certain professional clients when acting in their capacity as an agent. In contrast, a role-set conflict emerges when a stockbroker is torn between their commitment to the investing public and to their employer while acting as an advisor.³² In Merton's view, the patterned arrangement of role-sets, status-sets and gradual changes in statuses comprises a social structure.³³

Role and role-set conflicts are rife in the platform economy. As Parker and colleagues note,³⁴ one of the main ways in which a platform can grow is through the encouragement of side-switching, whereby users switch between performing the role of producer and consumer repeatedly. As discussed below, the playing of these multiple roles neglects the tensions they generate – often manifesting in legal disputes – as their roles in engaging with a platform are distinct from their legal status.³⁵

Figure 1 indicates some of the major statuses that a natural person may have in the platform economy (see Figure 1 on p. 67). The citizen status is included as certain rights inhere to a person through constitutions and human rights legislation,³⁶ even while logged onto a platform. Relatedly, data subject refers to the rights that attach to a person's data, depending on where an individual and platform is located. Inventor, volunteer, customer and entrepreneur captures the statuses that individuals may hold while using various platforms for their creative, philanthropic and commercial endeavours.³⁷ The inventor status acknowledges the contribution of user innovation to networked society,³⁸ and investor notes that several users invest in causes and organisations through online platforms.³⁹ Finally, owner refers to the ownership of physical assets, such as a smartphone, cars and bicycles, which allows the performance of certain roles through a platform, as well as to digital assets that one may acquire through a platform.

23 Fisher and Mehozay (n 18) 1177.

24 Alain Touraine, *Critique of Modernity* (Wiley 1995) 229.

25 William E Thompson, Joseph V Hickey and Mica L Thompson, *Society In Focus: An Introduction To Sociology* (8th edn, Rowman & Littlefield 2017) 118.

26 Gottfried Lang, 'The Concepts of Status and Role in Anthropology: Their Definition and Use' (1956) 17 *The American Catholic Sociological Review* 206, 206.

27 Ibid. 207.

28 Ralph Linton, *The Study of Man: An Introduction* (D Appleton-Century Company 1936) 114.

29 Erving Goffman, *Encounters: Two Studies in the Sociology of Interaction* (Penguin 1961) 75-76.

30 William M Evan and Ezra G Levin, 'Status-Set and Role-Set Conflicts of the Stockbroker: A Problem in the Sociology of Law' (1966) 45 *Social Forces* 73, 77.

31 Ibid. 74.

32 Ibid. 76-77.

33 Robert K Merton, *Social Theory and Social Structure* (1968 Enlarged Ed edition, Free Press 1968) 424.

34 Parker, Van Alstyne and Choudary (n 2) 26.

35 Andrej Savin, 'Liability of Intermediaries', *EU Internet Law* (Edward Elgar Publishing 2017) 143. Providing clarity about statuses and roles is also one of the key objectives of the recent *Proposal for a Directive on improving working conditions in platform work*, COM(2021) 762 final, Brussels, 09.12.2021.

36 John R Searle, *Making the Social World: The Structure of Human Civilization* (Oxford University Press 2010) 186.

37 Yochai Benkler, *The Penguin and the Leviathan: How Cooperation Triumphs over Self-Interest* (Crown Business 2011) 199; Christian Fuchs, *Culture and Economy in the Age of Social Media* (Routledge 2015) 321, 342-343.

38 Yochai Benkler, 'Law, Innovation, and Collaboration in Networked Economy and Society' (2017) 13 *Annual Review of Law and Social Science* 231, 232.

39 Garry Bruton and others, 'New Financial Alternatives in Seeding Entrepreneurship: Microfinance, Crowdfunding, and Peer-to-Peer Innovations': (2015) 39 *Entrepreneurship Theory and Practice* 9.

Figure 1: Status-set in the platform economy



Focusing on the factual statuses that users hold reveals the partners that comprise their role-set, as well as the reality that the status they are deemed to have on a platform may not accord with their legal status.⁴⁰ One such example is that of an Uber driver, who may be categorised as an entrepreneurial, self-employed person by the platform, but have increasingly been recognized as workers with employment rights by courts.⁴¹

While operating the Uber platform, certain statuses come to the fore. Merton acknowledges the possibility of this by pointing out that all of the partners in a status-holder's role-set may not be engaged at the same time; their ties to, and power over, the status-holder can vary in terms of intensity.⁴² This is not to say that the other statuses of a person 'disappear', instead they recede to the background when the person logs on to the Uber app and makes themselves available for work. During that time, the observable status-set of the driver is as a citizen, worker, entrepreneur, customer, owner and data subject. Of these, the statuses of worker and entrepreneur are most legally contentious. The status-set of an Uber driver and the role-partners of their 'worker' and 'entrepreneur' statuses are indicated in Figure 2 (see Figure 2 on p. 68).

Uber emphasises that a driver is an "independent company in the business of providing Transportation services" and a (corporate) "customer",⁴³ while at the same time it con-

trols key information about passengers that are picked up and their destination, algorithmically nudges drivers to use a specified route, subjects drivers to a rating system, and restricts their ability to set their own fares and accept tips. In this example, role conflicts emerge from whether the driver works for Uber or Uber works for the driver as an agent. The holding of both these statuses is allegedly inconsistent as it is contradictory for an entrepreneur who purchases the platform company's services to also be its worker. This is because in the view of corporate directors and professional management, arguably the most dominant members of a driver's role-set,⁴⁴ the 'master status' of the driver is that of an entrepreneur. This assumption is clear not only from the numerous employment misclassification cases on this question but also from the competition law concerns that the collective organisation of gig workers amounts to a price-fixing cartel, based on the assumption that they are self-employed.⁴⁵ Clearly, when drivers do not act in the manner expected of an independent entrepreneur, by going on strike or seeking to collectively bargain,⁴⁶ the attribution of such a master status is called into question.

The problems caused by these role conflicts can be seen if one considers the expectations of a driver's role-set. If a driver internalises the expectations of a platform company and performs as an entrepreneur, they risk disappointing other drivers who see themselves as workers, trade unions and some members of the general public who see Uber drivers as being workers. Conversely, if they claim rights typically associated with being a worker in a subordinate relationship to a company, they run afoul of the expectations of directors, management, and possibly the judiciary, who may consider drivers to be engaged in cartel-like behaviour due to their perception of drivers being self-employed.⁴⁷

Even if there is a consensus view on status and an absence of role conflicts, the driver may still experience role-set conflicts. Performing the role of an entrepreneur as management anticipates would create expectations among customers that Uber drivers should have the freedom to set their own fares, which they do not have. Conversely, performing the role of a worker in a public demonstration would create expectations among corporate accountants and tax authorities that they will be able to withhold drivers' payroll taxes, as with other employees.⁴⁸ The driver in both instances is not meeting the expectations of different role-set partners within a single status.

40 James S Coleman, *Foundations of Social Theory* (Harvard University Press 1994) 541.

41 See, e.g., *Uber BV and others (Appellants) v Aslam and others (Respondents)* [2021] UKSC 5, at [119]. Preventing misclassification and creating a legal presumption of employment status if the platform controls work performance in certain ways is at the heart of the Proposal for a Directive on improving working conditions in platform work (n 35).

42 Merton (n 33) 425-427.

43 Alan Bogg and Michael Ford Q.C., 'Between Statute and Contract: Who Is a Worker?' (2019) 135 *Law Quarterly Review* 347, 347.

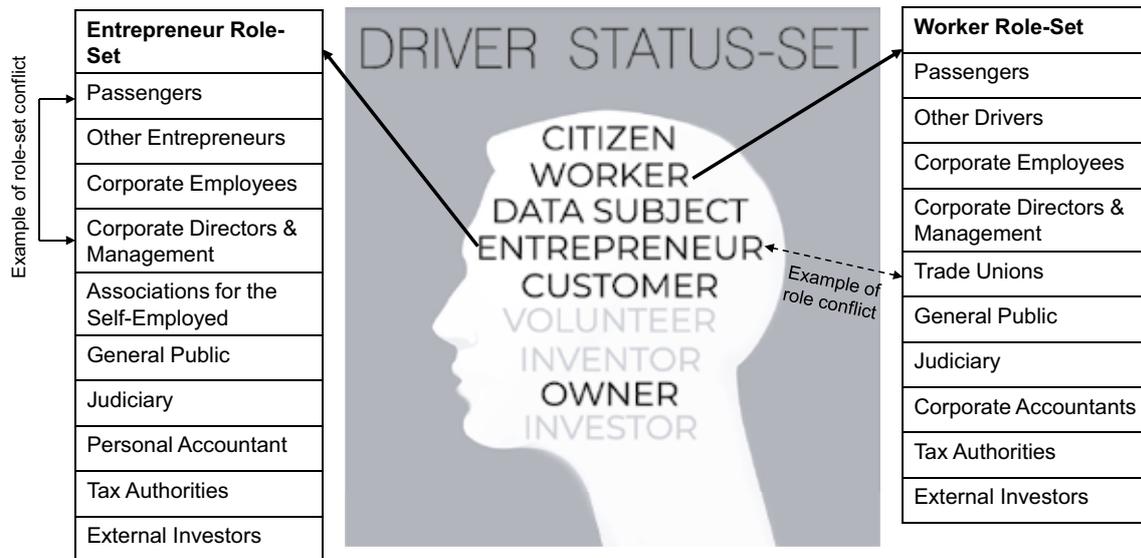
44 Merton (n 22) 113.

45 Dagmar Schiek and Andrea Gideon, 'Outsmarting the Gig-Economy through Collective Bargaining – EU Competition Law as a Barrier to Smart Cities?' (2018) 32 *International Review of Law, Computers & Technology* 275, 282.

46 Jamie Woodcock and Mark Graham, *The Gig Economy: A Critical Introduction* (1st Edition, Polity 2020).

47 VB Dubal, 'An Uber Ambivalence: Employee Status, Worker Perspectives, and Regulation in the Gig Economy' in Deepa Das Acevedo (ed), *Beyond the Algorithm: Qualitative Insights for Gig Work Regulation* (Cambridge University Press 2020) 36.

48 Shu-Yi Oei and Diane M Ring, 'The Tax Lives of Uber Drivers: Evidence from Internet Discussion Forums' (2017) 8 *Columbia Journal of Tax Law* 56, 64.

Figure 2: Role conflicts and role-set conflicts**Figure 2: Role-Conflicts and Role-Set Conflicts**

The platform company can financially benefit from drivers who experience confusion over their status, as framing them as entrepreneurs allows them to be pressured to pay a portion of each fare to the company. At the same time, due to corporate surveillance, drivers constrain themselves in the routes they take, music they play and amenities they offer passengers, as they know that the risk and punishment of a poor rating will primarily fall on them, even if the rewards are shared with the platform.⁴⁹ The company thereby benefits from making the driver the subject and the principal of their own subjection,⁵⁰ which is key to a platform's growth. Most importantly, the uncertainty stemming from these role and role-set conflicts allows the company to deny drivers a minimum wage, paid leave and collective bargaining rights as well as burden them with accounting and tax administration costs. The objective of misclassification suits can be seen as an effort to dissolve this inconsistency and provide clarity as to a drivers' 'true' role and role-set. Yet, making such an *ex-post* determination of a single status may not always be desirable. Some drivers may wish to be independent and consider Uber as a poor potential employer – while still wishing for some form of safety-net.⁵¹ The tension this generates creates a febrile atmosphere, ripe for agitation and a search for alternatives that can resolve these role-set and role conflicts. The platform cooperativism movement emerged in just

such an atmosphere, seeking to build “alternatives to the dominant Silicon Valley model” of platform capitalism.⁵²

3. The cooperative alternative

According to Trebor Scholz, platform cooperativism seeks to (1) clone or creatively alter the technological heart of the sharing economy and put it to work under a different ownership model, (2) foster solidarity and (3) reframe concepts such as efficiency and innovation for the (financial) benefit of the many, not the few.⁵³ To do so, the movement supports the formation of platform cooperatives, enterprises that operate “primarily through digital platforms for interaction or the exchange of goods and/or services and [are] structured in line with the International Cooperative Alliance Statement on the Cooperative Identity”.⁵⁴ Thus, businesses that would fall within this definition would be autonomous associations “of persons united voluntarily to meet their common economic, social, and cultural needs and aspirations through a jointly owned and democratically-controlled enterprise”.⁵⁵ A cooperative undertakes economic (and non-economic) activities in the interest of their members instead of serving the profit motive of shareholders. In general terms, members typically contribute a one-off monetary sum when they join and ongoing patronage (e.g., work hours in the

49 Sangeet Paul Choudary, 'The Architecture of Digital Labour Platforms: Policy Recommendations on Platform Design for Worker Well-Being' (ILO 2018) Research Paper 3 16.

50 Michel Foucault, *Discipline and Punish* (Vintage 1977) 202-203.

51 Thor Berger and others, 'Uber Happy? Work and Well-Being in the “Gig Economy”' (2019) 34 *Economic Policy* 429; Dubal (n 47) 35.

52 Trebor Scholz and Nathan Schneider (eds.), *Ours to Hack and to Own: The Rise of Platform Cooperativism, A New Vision for the Future of Work and a Fairer Internet* (OR Books 2016) 11.

53 Trebor Scholz, *Uberworked and Underpaid: How Workers Are Disrupting the Digital Economy* (Polity 2016) 174.

54 Ed Mayo, 'Digital Democracy? Options for the International Cooperative Alliance to Advance Platform Coops' (International Co-operative Alliance 2019) 20.

55 ICA Statement on the Co-operative Identity (1995).

case of a workers' cooperative) and/or monetary contributions. If the cooperative's economic activities generate a surplus and its bylaws allow it, a patronage refund may be returned to the members in proportion to their own patronage of the cooperative. As a democratic enterprise, members have the right to democratically participate in the control and management of the cooperative on a 'one-person, one-vote' basis, though the extent to which members are involved in day-to-day governance differs case by case.

As indicated by Mayo's definition, a platform cooperative may not always register as a cooperative but would still fall within the definition's purview if the structure they opt for allows them to adhere to the ICA's 7 cooperative principles: (1) Voluntary and Open Membership, (2) Democratic Member Control, (3) Member Economic Participation, (4) Autonomy and Independence, (5) Education, Training and Information, (6) Cooperation among Cooperatives and (7) Concern for Community. This openness to a variety of entity forms is driven by restrictions that exist in cooperative law for start-ups, such as registration costs, requiring a high number of members to register at the time of formation, or needing to pay a minimum wage immediately upon registration to worker-members and employees.⁵⁶ Examples of platform cooperatives include cooperative alternatives to Uber (e.g., Eva.coop), Deliveroo (e.g., S!cklo), Airbnb (Fairbnb coop), Spotify (Resonate), Zoom (Meet.Coop), Amazon Web Services (e.g., Commons Cloud) and Google Docs (e.g., Collective Tools). These examples highlight the broad range of economic activities in which these cooperatives are involved, in terms of industry and in terms of access they provide. These cooperatives are present in sectors in which corporate platform competitors have long been present, as well as those in which they are more marginal, such as care for Deaf people (e.g., Signalise) and health care data management (e.g., Salus.coop).

Another important group of cooperatives in this space are those that have built a platform to supplement their services and benefit their members, but where the platform is not indispensable for their operations.⁵⁷ These 'cooperative-run platforms' include taxi driver cooperatives, such as Cotabo in Bologna and Gescop in Paris, which have been in operation since 1967 and 1977 respectively but have developed their own smartphone app (i.e., TaxiClick, AlphaTaxi) for passengers to hail their driver-members. Online matchmaking is only one of the potential benefits of cooperative-run platforms. SMart, a pan-European network of mutual risk cooperatives that has been operating since 1998, has developed (online) tools for invoice, payroll and tax administration which reduce bureaucratic barriers for e.g., gig workers to find and engage in projects with clients. Members of SMart find and negotiate with their

own clients, with the cooperative taking over the responsibility of ensuring that the client pays invoices. While the contract is being performed, the cooperative hires the freelancer on a short-term employment contract, thereby giving them access to minimum working conditions, a minimum wage and social security protections.⁵⁸ While primarily covering creative gig workers, at one stage it had a joint agreement with Deliveroo that allowed SMart to employ its members that work for Deliveroo on a very short-term basis for a fee of 6.5% of the total invoice.⁵⁹

What both platform cooperatives and cooperative-run platforms have in common is an explicit goal to pursue objectives other than investor wealth maximisation and to redistribute governance rights. This orientation can have a number of benefits for members, as shown in the earlier literature on worker cooperatives to which many of these cooperatives have a filial connection. Dufays et al. argue that a transition to worker cooperativism permits individuals to reclaim lifeworld resources, such as society, personality and culture.⁶⁰ Worker cooperatives that adhere to the cooperative principles can engender trust and build social capital, cultivate new individual and collective identities in settings where workers are often excluded (e.g., boardrooms) as well as build a greater capacity to determine how they live. Worker cooperatives have also shown a capacity for protecting employment compared to capital-managed firms.⁶¹ Crucially, worker and multi-stakeholder cooperatives – which have two or more classes of members – can open two streams of income, in terms of a wage/payment according to the work completed as well as a patronage return in proportion to their transactions with a cooperative. Established platform cooperatives, such as the photographers' cooperative Stocksy, have already indicated the possibility of this.⁶²

In contrast to platform companies, the redistribution of governance rights is done by allowing individuals, and in some cases legal persons, to become members of the cooperative. These members are typically allowed to vote on a one-member, one-vote basis. In some cases this is coupled with a class of investor-member who may receive a preferred (but capped) return on their investment but have diminished voting rights from other members. In some platform cooperatives, members may have voting power only on major governance issues such as the appointment/removal of directors, its dissolution or other issues raised during an annual general assembly. For others,

56 Footprint Workers' Co-operative Ltd. and Seeds for Change Lancaster Co-operative Limited, *How to Set Up a Workers' Co-Op* (Fourth, Radical Routes Ltd 2015) 90, 104.

57 Mayo (n 54).

58 CECOP, 'All for One: Response of Worker-Owned Cooperatives to Non-Standard Employment' (CECOP 2019) 26.

59 Jan Drahokoupil and Agnieszka Piasna, 'Work in the Platform Economy: Deliveroo Riders in Belgium and the SMart Arrangement' (etui 2019) 2019.01 8.

60 Frédéric Dufays and others, 'Resisting Colonization: Worker Cooperatives' Conceptualization and Behaviour in a Habermasian Perspective' (2020) 34 *Work, Employment and Society* 965, 972-975.

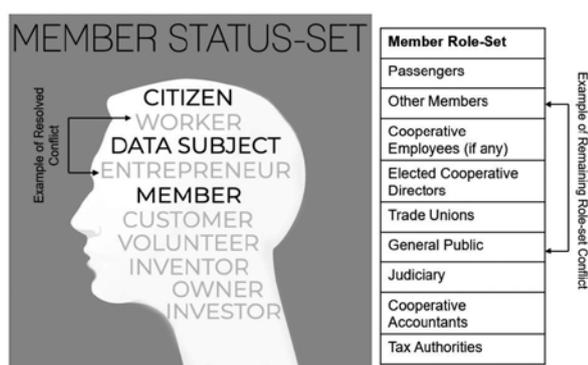
61 Gabriel Burdin and Andrés Dean, 'New Evidence on Wages and Employment in Worker Cooperatives Compared with Capitalist Firms' (2009) 37 *Journal of Comparative Economics* 517.

62 Juliet B Schor, *After the Gig: How the Sharing Economy Got Hijacked and How to Win It Back* (First Edition, University of California Press 2020).

membership can entail a say in day-to-day decisions as well as the design of the application (e.g., Equal Care Coop) and the management and use of member data (e.g., Salus.coop). In short, the idea behind conferring voting power is to address the accountability shortcomings of corporate competitors and improve data management practises as discussed in section 1. The fact that this is possible is due to the new status of being a member.

The legal concept of membership has been relatively undertheorized,⁶³ but is key in distinguishing cooperatives from companies. Pönkä argues that it is the personal, patronage-based relationship between cooperatives and its members that is a central distinguishing feature from companies and their shareholders. In terms of role-set theory, the choice of a cooperative over a company in organising a platform entails the recognition of a new status for individual users and a distinct role-set, as indicated in Figure 3.

Figure 3: Conflicts that are mitigated and remaining role-set conflicts



By becoming a member of a cooperative, it is expected that role and role-set conflicts encountered by a person in the platform economy would be mitigated. The 'master status' of member is intended to help reconcile inconsistent statuses, such as worker and entrepreneur that are ordinarily encountered on corporate platforms.⁶⁴ This is due to the malleability of how a cooperative can be organised. In principle, democratic governance gives members more control over their employment status, even if this determination still remains fact-specific.⁶⁵ The constitutional documents and membership agreement of a cooperative explicitly state what rights and duties of a member are, including any requirements of a member as to work and governance con-

tributions. While each cooperative must adjust to the conditions of the economic sector they operate in, for setting wages or transaction fees, they seek to do this in the interest of their members. Consequently, in the case of platform cooperatives such as Taxiapp, taxi driver-members are self-employed, while in cooperatives such as SMart, their members are short-term employees of their cooperatives. Having control over how employment relations are designed in a cooperative allows for a choice between receiving the benefits of employment or alternatively, foregoing them to avoid, for instance, employment-related insurances. In the case of ride-hailing platforms this may be due to drivers being allowed to have the freedom to drive for other platforms, while in mutual risk cooperatives like SMart this is to allow individuals to act autonomously in their intellectual and creative activities while having a safety net. In other words, in a cooperative, a person's statuses as worker and entrepreneur are subsumed and reconciled by their status as a member. Certainty about the status one occupies also allows the formation of a group identity with other occupants of the same status who experience similar role-set conflicts. This can be seen with associations for lawyers and librarians⁶⁶ and would arguably be seen among cooperative members as well.

It is anticipated that this certainty will prevent conflicting expectations of role-set partners about how an individual performs their status and consequently, lead to fewer role conflicts. For instance, the managers of a ride-hailing cooperative, as well as other driver-members, will both understand if driver-members meet with other members and voice their concerns to the cooperative, without the former considering this activity to be a form of illegal collusion. In contrast to drivers of a platform company, it will be expected that members will be involved in at least major existential decisions of a cooperative. Similarly, data access requests about personal driving records will be viewed as requests by a member about their own information or about the business they have ownership rights in, rather than as a data subject seeking personal data from a data controller (e.g., under the GDPR), which the controller may be reluctant to divulge if it consists of a trade secret.⁶⁷ As a member, they may expect that such access requests will be handled more expeditiously than in the case of platform companies.⁶⁸ Ameliorating these conflicts would both improve the material well-being of drivers and increase stability in the social structure.

There are, however, limitations to these benefits as members can have heterogeneous preferences⁶⁹ and experience their own role-set conflicts due to the number of roles

63 Ville Pönkä, 'The Legal Nature of Cooperative Membership' (2018) 7 The Journal of Entrepreneurial and Organizational Diversity 39.

64 Teresa Nelson and others, 'Emergent Identity Formation and the Co-Operative: Theory Building in Relation to Alternative Organizational Forms' (2016) 28 Entrepreneurship & Regional Development 286, 295; Elena Mamouni Limnios and others, 'The Member Wears Four Hats: A Member Identification Framework for Co-Operative Enterprises' (2018) 6 Journal of Co-operative Organization and Management 20; Dufays and others (n 60) 10.

65 Adam Stocker and Sara Stephens, 'Evaluating the Potential of Cooperative Ridesourcing: A Case Study of Arcade City in Austin, Texas' (Sustainable Economics Law Center 2019) Case Study 100-102.

66 Merton (n 22) 116-117; Merton (n 33) 432.

67 Michael 'Six' Silberman and Hannah Johnston, 'Using GDPR to Improve Legal Clarity and Working Conditions on Digital Labour Platforms' (ETUI 2020) Working Paper 05 21.

68 Doorn and Badger (n 12) 1486.

69 Julia Höhler and Rainer Kühl, 'Dimensions of Member Heterogeneity in Cooperatives and Their Impact on Organization - a Literature Review' (2018) 89 Annals of Public and Cooperative Economics 697.

concentrated in the status of member. The conflicts experienced by members may diminish some of the benefits of cooperative membership and thereby undermine the bases for choosing a democratic alternative to the corporate form. Firstly, members can experience a role-set conflict between being a patron of a cooperative and an investor in its share capital. Secondly, there may be conflicts between elected cooperative directors and the remaining members. Thirdly, there can be a conflict between an existing member of a cooperative and a worker on probation prior to becoming a member. Fourthly, there can also be a role-set conflict between being the owner of a cooperative committed to the future of the business and being part of a community and serving community interests. These conflicts concern long-discussed disadvantages of the cooperative form, but as I show below, can be overcome.

The first conflict relates to cooperatives perennially lacking capital and members supposedly having an underinvestment problem and preferring employment retention. The second conflict relates to the emergence of hierarchy in cooperatives and the need to avoid degeneration. The third conflict refers to the reluctance of existing members to admit new members on the basis that the latter may freeride on the efforts of earlier members, shirk responsibilities and damage the ethos of the cooperative.⁷⁰ The fourth conflict alludes to the disadvantage of maintaining commitments to the community in a manner that can intrinsically motivate members and spur voluntary participation,⁷¹ while furthering the business's own commercial objectives. This is particularly challenging for platform cooperatives as they do not exist outside of the pressures of the market and experience financing challenges even more acutely than their capitalist counterparts.⁷²

That being said, there are options for addressing these shortcomings. In cooperatives where financial returns are tied to patronage and other distribution constraints are in place, members can be motivated to identify less as financial investors.⁷³ The role-set conflict between the roles of director and voter could be addressed in a number of ways, ranging from modest proposals like short term limits and agile management practises to more ambitious commitments such as the adoption of a role rotation policy. Thirdly, the cooperative could strike a balance between open and voluntary membership and the need for knowing new members by carefully calibrating a probation period that is suitable to the business model of the cooperative. This could vary from membership beginning as soon as some-

one completes a minimum number of transactions with the cooperative to periodically freezing admissions based on the availability of work. Finally, in seeking to balance commercial and community needs, membership could be expanded to include more classes of stakeholders, as several aforementioned platform cooperatives (e.g., Eva, Stocksy) have done. Doing so allows these multi-stakeholder platform cooperatives to, in principle, involve a wider group of stakeholders and improve their financial bottom-line (e.g., loyal consumer-members).

4. Conclusion

This article has identified three distinguishing features of platform capitalism, including my proposal that particular attention be paid to the deliberate creation of role and role-set conflicts by platform companies. An overview of Robert Merton's role-set theory was provided and was applied to the ride-hailing sector to unpack the conflicts encountered by Uber drivers. The most prominent example of this is the role conflict between the worker and the entrepreneur statuses and the role-set conflicts encountered by drivers within each status. These conflicts are at the heart of many of the legal disputes in the platform economy and focusing on identifying statuses, role-sets and role-set partners can allow future researchers to highlight other emerging conflicts. For instance, such conflicts can emerge between being a user and a citizen, when the latter is mobilised to advocate for corporate-friendly regulations.⁷⁴ While this article focused primarily on gig economy platforms such as Uber, it would be illuminating to see role-set theory applied to worker/user members in other sectors of the platform economy, such as social media.

A role-set analysis also allows consideration of whether a change in status can resolve some of these conflicts. The remainder of the article concentrated on how the formation of platform cooperatives and cooperative-run platforms allow for persons to access the status of member. Section 3 weighs the possibilities of cooperative membership reconciling statuses such as worker and entrepreneur. The cooperative management literature gives some grounds for optimism about this, while also flagging some of the role-set conflicts that cooperative members will have to overcome. Merton's role-set theory has proven to be useful as it allows us to understand how social structures are experienced differently depending on one's status, while also providing an explanation for how an individual may seek to escape these conflicts by changing one's status. One of the most important reasons for why platform cooperativism merits support is because individuals may struggle to articulate and change their own status autonomously and cooperatives provide a collective action mechanism for individuals to move towards a new status.

70 Elvira Cicognani and others, 'Social Identification and Sense of Community Among Members of a Cooperative Company: The Role of Perceived Organizational Values' (2012) 42 *Journal of Applied Social Psychology* 1088, 1109.

71 Isabella Hatak, Richard Lang and Dietmar Roessl, 'Trust, Social Capital, and the Coordination of Relationships Between the Members of Cooperatives: A Comparison Between Member-Focused Cooperatives and Third-Party-Focused Cooperatives' (2016) 27 *VOLUNTAS: International Journal of Voluntary and Nonprofit Organizations* 1218, 1234.

72 Marisol Sandoval, 'Entrepreneurial Activism? Platform Cooperativism Between Subversion and Co-Optation' (2020) 46 *Critical Sociology* 801.

73 Mamouni Limnios and others (n 64) 23-24.

74 Amit Tzur, 'Uber Über Regulation? Regulatory Change Following the Emergence of New Technologies in the Taxi Market' (2019) 13 *Regulation & Governance* 340, 355.