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# PLATFORMISATION AND NORMATIVE PARADOXES OF WORK

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*Does the organizational model of the digital platform enable the realization of contemporary labor ideals of autonomy and flexibility?*

Master's Thesis in Economics

<b>Author</b>	T.C. Arnold
<b>Supervisor</b>	dr. M. Visser
<b>Educational programme</b>	Master's programme in Economics
<b>Institution</b>	Nijmegen School of Management, Radboud University
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## 1. Topic introduction and research outline

### 1.1 Platform work: the empowerment of shackled employees or '21<sup>st</sup> century slavery'?

The film 'Sorry We Missed You' describes the lives of Ricky and Abby. Since the economic crisis, they struggle to make ends meet and provide for their two children. In the opening scene, Ricky has a job interview to become – as the recruiting manager describes it – a 'driver-owner-franchisee', which is essentially a self-employed parcel deliverer. The key terms of the working relationship appear rather promising. Rather than being hired, Ricky comes 'on board'. He does not work for the company, but 'with' the company. There is no employment contract, nor wages, but 'fees'. The manager describes the work as being "*the master of your own destiny*" and promises him a working environment of freedom, choice and autonomy. In addition, the brochure promises astronomical turnovers of over a £100.000 in a matter of years. As the movie progresses, however, the true working conditions reveal themselves. Ricky and the other drivers are being commanded like regular employees and bad behaviour or absence – even under the worst of circumstances – results in significant penalty payments and potential termination of the working relationship. On top of that, the costs and risks of the job, such as renting the delivery van and damages or traffic fines, are borne by the drivers themselves.

These days, an increasing amount of workers find themselves in the precarious position of Ricky (Berg, 2016). While being promised the flexibility and independence of self-employed work, generally mediated by large digital platforms, platform workers can experience challenging labor circumstances, that are often described as 'false' or 'bogus' self-employment. Such qualifications refer to the situation in which workers assume financial, health and occupational risks, while the platform retains a large degree of control over the terms and conditions of employment. Stories as the one described above have generated increasing attention for the circumstances of platform work. Digital platforms in particular, some of which have grown to immense proportions in a relatively short time-period, are increasingly being monitored for their ability to abuse their influential position, not only in relation to direct competitors or consumers, but also with regard to platform workers and their working environment (Forde et al, 2017; Eurofound, 2019).

Whereas some platform workers appear to encounter challenging working circumstances, the platform model creates opportunities for others. Platforms enable individuals to work as a solo self-employed person, on a task-by-task basis, which provides a degree of flexibility and autonomy that regular employment generally cannot provide. This expands the options of contemporary workers to earn (a part of) their income, not only by lowering the barrier to become a solo self-employed, but also by providing ways to earn additional income on an irregular basis. The growing popularity of platform work and other forms of non-standard work such as temporary contracts, zero-hour contracts and solo self-employment is thus not a mere coincidence.

### 1.2 The organizational model of the digital platform

Since the beginning of this century, digital platforms have gained an almost ubiquitous presence in everyday life. Consumers use ride hailing and car sharing applications (Uber, Lyft, Blablacar) for transportation, purchase all kinds of goods from large intermediary trading platforms (Amazon, AliExpress) and book overnight stays on accommodation platforms (Airbnb, Booking.com). This business model of digital platform mediation has spread to a wide variety of economic sectors, including e.g. healthcare, leisure activities and legal services.

As with the invention of the steam engine or the personal computer, the emergence of digital platforms has been qualified as a radical, disruptive innovation that ‘creatively destructs’ existing businesses (Weber, 2019). It has even been said that platformisation – that is, the increasing adoption of the platform model throughout the economy – has ‘transformed key economic sectors and spheres of life’ (Poell, Nieborg & Van Dijk, 2019). While it is rather clear why the steam engine and the personal computer deserved such predicaments, the transformative nature of digital platforms is much less visible at the surface. When consulting the literature on distinctive, transforming features of digital platforms, several specific characteristics emerge, such as their ‘multi-sidedness’, the ability to generate ‘network effects’ or the way in which the digital environment allows for a drastic reduction of transaction costs (Rochet & Tirole, 2004; Zhu & Iansiti, 2019; Lobel, 2019).

### *1.3 Employment in the platform economy: amplifying worker precarity*

When turning to the main theme of this thesis, which is the effects of platformisation on the organization of labor, observers resist the qualification of the platform model as a disruptive innovation (Schor et al, 2020; Stanford, 2017). Rather, they place the emergence of the platform model in a longer trend of departing from the archetypal fixed, open-ended contract, that can be traced back to well before the start of the 21<sup>st</sup> century. From the 1980s onwards, this standard, open-ended contract, often associated with hierarchical, well-structured (‘Fordist’) models of economic organization, has been gradually replaced by new, non-standard forms of work, such as short-term or zero-hour contracts, temporary work and solo self-employment. In literature, much attention has been (and is being) paid to the unwanted consequences of this trend towards flexibilization and impermanence of labor relations. There is increasing consensus about the existence of links between the changing nature of working relationships and the material deterioration of working conditions, such as low wages, long working hours and higher occupational risks (Schor et al, 2020; Neilson & Rossiter, 2006; Alberti et al, 2018). This decay has been captured by the term ‘precarization’ of work, a concept around which a new branch of literature has been formed. Hürtgen (2020) describes this development of precarization as follows:

*"Precarization, hence, describes the constitution of dependent labor in a way that detaches it from the material and immaterial means of societally integrative social reproduction. This can include very low wages, irregular employment, highly flexibilized time schedules, the de facto absence of workers' representation and also particularly difficult and exhausting working conditions."*

This flexibilization of work has occurred in parallel with other developments that influence not only measurable forms of precarity, but the *perceived* precarity of individuals on a broader level. The retracted role of the state, motivated by neo-liberal economic thinking that became dominant in the 1980s, in combination with stark forces of globalization and individualization, have been said to contribute to a subjective feeling of precarity, formed by a sense of lost recognition and social integration (Holst, Nachtwey & Dörre, 2004). The notion of precarity has also been related to ‘economization’ of society. Increased subordination of more and more areas of life to the needs of the economy have resulted in a “*loss of grip over a future that once seemed under control*” (Alberti et al, 2018: 449; Brett & Rossiter, 2005). Standing even defends the position that such developments have resulted in a separate class, the *precariat* (Standing, 2009; 2011).

Interestingly, the *novelty* of precarization of work has been questioned from a historic perspective. Some view precarity as the norm of capitalism and consider as the exception the archetypal fixed contract and the system of social security built around it in the second half of the 20<sup>th</sup> century in Western capitalist societies (Betti, 2018; Breman & Van der Linden, 2014). It could be argued that the development of platformisation confirms this idea. In the world of digital platforms, the supply-side performs its services in a solo self-employed capacity. This type of employment arrangement allows for the remuneration of platform workers on a per-task basis, rather than an hourly wage, a practice reminiscent of the piece-rate that defined the 19<sup>th</sup>-century capitalist organization of the economy (Englander, 1987). Moreover, this position of solo self-employment means that the platform does not bear responsibility over platform workers. This creates high levels of job-insecurity and instability and involves a shift of occupational risks from the firm to the platform worker (Kahancova et al, 2020). Platform work can thus be viewed as a fitting example of the so-called ‘commodification’ of workers, a concept that refers to the capitalist reduction of labor to a mere material, output-increasing force, rather than adopting a more human-centred approach (Bergvall-Kåreborn & Howcroft, 2014).

For several platform sectors, notably that of online labor platforms, this has led to increasing concerns over worker well-being. Whereas professional platform suppliers (e.g. restaurants offering meals via UberEats) are used to dealing with the risks and responsibilities that are attached to the position of independent market operator, most individuals performing platform work on a solo self-employed basis meet a working environment with which they are not familiar. This position has advantages, such as the flexibility in working time and location, in addition to the autonomy with regard to the type and amount of platform-mediated assignments. However, platform workers also enter a world of intense competition for assignments, income insecurity and risks. A former cab driver, who might have lost his job due to the heavy competition from ride hailing alternatives such as Uber or Lyft, might find himself forced to become an Uber driver himself. This significantly increases his responsibilities and business risks, since he will have to pay for his own damages, fines and pension. Obviously, not every driver will have the means to bear such risks. If digital platforms indeed would replace the majority of traditional undertakings, the general consequence would be that many formerly employed now become solo self-employed, losing important labor protection rights such as a minimum wage, sick leave and pension accrual (Stone, 2004).

In summary, platformisation seems to fit the development of precarization of work, as the platform model allows for the material degradation of working conditions and the detraction from the employment conditions that Western capitalist workers have come to expect since the second half of the previous century.

#### *1.4 A new paradigm of work: the ideals of flexibility and autonomy*

Although more flexible forms of work seem to create poor(er) working conditions, the choice for such forms of work is often framed as a conscious and deliberate choice for increased autonomy and flexibility in work. Digital platforms, for instance, often praise platform work for its adaptability to individual lifestyles and particular demands for (parttime) income. In addition, by creating a meeting place for demand and supply, the platform promises suppliers the freedom to shape their own supply and serve the customers they wish to serve. This demand for flexibility and autonomy has been qualified as a response to the subordinated position of fixed workers and hierarchical nature of the corresponding ‘Fordist’ model of the firm. This model has been described as belonging to a disciplinary regime of work (Weiskopf & Loacker, 2006), that roughly corresponds to the economic and societal

forms of organization of the 19<sup>th</sup> and 20<sup>th</sup> century. This model centres around the factory as the ‘production machine’, the optimization of which depends on well-trained, subjected and disciplined workers. Employees mostly received a fixed wage that reflected the predetermined tasks and responsibilities attached to the position within the organization. Throughout the 19<sup>th</sup> century, these fixed labor relationships were increasingly guided by the protection of basic labor rights, for which the employer was held responsible.

From the 1980s onwards, the nature of work developed from fixed, permanent employment to increasingly flexible and temporary employment relationships (Van Eyck, 2003; Stone, 2005). As said, this has in part been related to dissatisfaction with the entrenched position of the factory worker. New forms of employment, so goes the argument, would free workers of this entrenched position, that prevented workers to give direction to their own work. At the same time, this shift in the social attitude towards work has been attributed to more systemic global developments of increased individualization, competition and efficiency and deeper forms of rationalization, which have resulted in a new paradigm of economic organization and a corresponding ‘post-disciplinary society’ (Weiskopf & Loacker, 2006). Platformisation, again, aptly reflects this development of the dominant model of the firm from a closed, hierarchical entity into a network-driven organization. Accordingly, it reflects how the demands of the contemporary worker have changed, by prioritizing self-sufficiency, adaptability and flexibility as qualities that make contemporary workers ‘suitable’ and successful. This is most visible in the fact that platform business models directly rely on self-employed individuals. Prime examples are Uber and Airbnb, that enable car- and house-owners to practically function like cab drivers and hotel operators respectively.

The development of platformisation thus seems to represent the transition into a new model of economic and societal organization, driven by current developments of digitisation, platformisation and automatization. Speculation about the direction in which this transition is headed has resulted in several narratives that aim to predict how it will transform the circumstances governing our working environment. For instance, the idea has been brought into the world that humanity is on the brink of a fourth and perhaps final industrial revolution, in which ‘a new machine age’ will render many jobs obsolete and cause large-scale unemployment (Sundararajan, 2016; Larsson & Teigland, 2020), a situation that Bastani (2019) describes as “fully automated luxury communism” (Srnicek & Williams, 2015). Or, with some fantasy, one could claim that platformisation, notably through extensive accumulation of individual data, will transform the world into a modern variant of the 19<sup>th</sup> century factory industry, where a small number of highly powerful digital platforms has unlimited power and control over platform workers. Again others see the rise of platform work as the end of the standard employment relationship (Lewchuk, 2017; Stanford, 2017). Regardless of their validity, such prophecies illustrate that the preconditions of work at least appear to be changing. Through digitisation, platformisation and automatization, some work inevitably becomes obsolete, other existing work is performed under changed circumstances and new forms of work are created.

### *1.5 Interpreting the ‘new paradigm of work’: the work of Axel Honneth*

Formulating adequate policy responses to the previously described developments in the conditions governing work requires a normative evaluation of this development. A society cannot merely hold onto existing norms and standards just because they seem to fit the circumstances of that particular period in time. Indeed, changing circumstances challenge us to reconsider existing norms and form a renewed judgment on their suitability. In order to uncover existing norms and analyse potential

normative deficits in collective ideas regarding work, this thesis explores the philosophy of Axel Honneth. In anticipation of the third chapter of this thesis, which provides an in-depth discussion of his work, the subsequent paragraph briefly introduces some central themes, that outline *why* his work is relevant for the subject of platform work.

Honneth is an authoritative figure in the current generation of the Frankfurt School of Critical Social Theory. In a broad sense, his work focuses on freedom and recognition, thereby building on Hegel's philosophy that freedom is not defined by the absence of interference, but must be actively recognized by others. For instance, for workers to experience freedom, labor arrangements between employers and workers should thus *recognize* the freedom of the worker to realize one's own ambitions. The individual determination and consequent realization of such ambitions is captured in the term self-realization and is, according to Honneth, an ideal that has a stark presence in 21<sup>st</sup> century society. In this light, the new forms of work, including platform work serve a noble purpose: they enable workers to realize this conception of freedom in the workplace. As will become clear from the discussion in chapters three and four, however, poor working conditions of platform work can form an obstacle to the realization of these ideals.

### *1.6 Research outline: addressing worker precarity while respecting flexibility and autonomy*

The preceding sections illustrate that on the one hand, the new, non-standard forms of work appear to meet the needs of contemporary workers for more flexibility and autonomy. At the same time, the external working environment seems to impose *expectations* of flexibility, adaptability and creative assertiveness on workers. The aim of this thesis is to further explore this apparent tension, specifically for platform work.

The transition towards non-standard work, moreover, seems to go at the expense of social protection of workers. This lays bare the challenge for policymakers in the field of the labor market: on the one hand, they must enable the recognition of claims for increased worker flexibility and autonomy, yet simultaneously safeguard a minimum level of social and labor protection for non-standard work. The challenge in the policy domain is thus to find policy directions that contribute to improving social and labor protection for platform workers. The corresponding research question that this thesis aims to answer is:

**“to what extent does the organizational model of the digital platform enable the realization of contemporary labor ideals of autonomy and flexibility and which policy directions can be considered?”**

### *1.7 Reader's guide*

In order to formulate an answer to the research question above, the subsequent second chapter first provides a detailed account of existing empirical evidence on the labor conditions of platform work. To that end, it focuses on the scale of platform work in relation to the total economy, the material conditions of platform work (such as financial security, working hours and worker health) and the levels of social protection. The third chapter then provides a normative framework for assessing these developments, based on the work of Axel Honneth. It outlines his method of normative reconstruction, that essentially entails the analysis of prevailing norms guiding social institutions and aims to uncover the material elements that hinder the realization of such norms. The fourth chapter entails an application of this normative framework. By applying this method of normative reconstruction to

platform work, it illustrates how the norms of flexibility and autonomy are enshrined in platform work and exposes which material conditions of platform work prevent the realization of the aforementioned norms. The fifth and final chapter provides a critical discussion of the policy directions in the fields of labor law and competition law, aiming to highlight directions that contribute to social protection of platform work but enable the realization of flexibility and autonomy of platform work.

## **2. The platform economy: general characteristics and empirical evidence**

### *2.1 Getting an empirical grip on platformisation*

The concerns with respect to the precarious position of platform workers have fuelled efforts to capture the working conditions of platform workers empirically. These efforts are very meaningful, since the insights they provide on the circumstances under which platform work is performed enable policymakers to identify the sources of precarity and draft policies that address such root causes. However, it proves to be rather complicated to empirically capture platform work in all its dimensions. As the subsequent section (2.2) points out, this mainly relates to the difficulty of defining platform work, which in turn depends on the troublesome definition of digital platforms themselves. The position of the platform as a *digital intermediary* – in essence a platform is nothing more than the application of digital communication technology to connect demand and supply – renders the category of ‘digital platforms’ a highly heterogeneous group of undertakings. They can mediate both purely digital (‘clickwork’) and physical activities (e.g. taxi-services). Moreover, there are large differences in the degree of influence that the platform exerts on the underlying interaction through its intermediation service. This degree of control ranges from providing the absolute minimum conditions for demand and supply to interact (a digital ‘bulletin board’) to determining the most fundamental parts of the transaction that the platform facilitates, such as its price (Uber). The heterogeneity of the platform service thus complicates the formulation of one coherent definition of digital platforms, which in turn makes it harder to distinguish platform work from other forms of work. In addition, the recent attention for the precarious position of platform workers has altered the way in which some platforms deal with the workers. Some have reverted back to a full-scale employee-based model, while others offer limited forms of employment benefits and insurance, blurring the lines between (solo self-employed) platform work and a regular employment relation.

Although these changes complicate efforts to empirically capture platform work – Huws et al (2017) aptly describe this challenge as ‘nailing jelly’ – various publications in recent years have provided detailed insights in the scale and scope of platform work and, more importantly, the conditions under which platform work is performed. This chapter aims to provide an overview of these efforts and gain a more detailed understanding of how digital platforms operate. To that end, section 2.2 first discusses the general characteristics of the platform model, that distinguish digital platforms from other undertakings. Section 2.3 then assesses empirical evidence on the scale of platform work and, simultaneously, reflects on the inherent difficulty to capture the scale of platform work. The chapter then shifts attention to the individual perspective of platform workers. Section 2.4 describes the characteristics of platform workers and section 2.5 assesses the conditions under which platform work is performed. It discusses various parameters that describe circumstances of platform work, such as remuneration, the quality and availability of work and health and private life. Section 2.6 concludes.

### *2.2 Platform characteristics*

The first characteristic that is often highlighted when describing the transforming potential of digital platforms is the fact that platforms are ‘multi-sided’ (Rochet & Tirole, 2004, 2006; Wismer, Bongard & Rasek, 2017; Sánchez-Cartas & León, 2018). Platforms perform intermediation services, i.e. they facilitate the transaction or interaction between various distinct sides of the market (Hoppner, 2015). This means that digital platforms are capable of exerting influence on multiple, distinctive sides of the market, which renders them potentially very powerful players capable of influencing key market circumstances. Whereas some digital platforms refrain from exercising such influence (‘mere

marketplaces'), others more expressly exercise control over the terms and conditions of the transactions on the platform. Uber is a good example, as it determines the main aspect of the transaction: the price of the ride (Chen et al, 2015). At the same time, multi-sidedness is a fluid concept that does not clearly distinguish digital platforms from other undertakings. The age-old market square proprietor, who rents out slots to merchants, performs a similar function and other examples of intermediaries exist in a variety of markets (e.g. stock broker, dating service, real-estate agents). Even standard retailers could be deemed to perform multi-sided activities: they also connect two sides of the market (consumers and producers). Defining platforms merely by their multi-sided identity thus feels incomplete, since this characteristic fails to capture platforms that exercise a large degree of control over the transaction between the various sides of the market.

A second characteristic commonly associated with platforms is the existence of cross-side indirect network effects (Parker & Van Alstyne, 2005; Jullien, 2005; Evans, 2008; Hagiu & Wright, 2015; Rysman, 2009). Since platforms, again, connect various distinct sides of the market, its value for platform users largely lies in the network of users to which it provides access (Zhu & Iansiti, 2019). Direct network effects relate to same-side interactions, while indirect network effects reflect the value of cross-side interactions (Jullien, 2005; Evans, 2008). The latter is often deemed to produce so-called 'feedback loops', a feature to which many ascribe the ability of digital platforms to rapidly gain a large degree of market power and become 'a winner who takes it all' (Zhu & Iansiti, 2019). These feedback loops function as follows. If the platform is able to increase demand for its intermediation on side A of the market, users on side B of the market will be drawn to the platform as well. After all, the value of the platform for side B-users lies in their ability to access a large user-base on side A of the market. Under the right circumstances, this process repeats itself, each increase in size of the user-base on one side resulting in an increase on the opposite side. At a certain tipping point, any alternative to that platform becomes irrelevant, since the majority of users is locked into the network of the incumbent platform (Prud'homme, 2019). Indirect network effects are, when considered in isolation, not unique to platforms either. As with platforms, demand for the service of the retailer by both sides (producers and consumers) is likewise interdependent: if more consumers are interested in buying the products of the retailer, most likely new suppliers will enter the market to fulfil the additional demand. It should be noted that network effects, like multi-sidedness, in isolation are not *uniquely* reserved to digital platforms. Large conglomerates, for instance, have been able to profit from their large networks on both the demand and supply-side long before the emergence of digital platforms.

When assessed in light of developments in the digital domain, however, the combination of network effects and multi-sidedness transform platforms into a unique creature capable of drastically transforming economic transactions. Since its transformation into the so-called 'Web 2.0', the internet has enabled instant communication between individuals across the globe. Starting as a mere 'read-only' source of information, from 2004 onwards the internet developed into a highly interactive medium that can be accurately moulded to fit a great variety of purposes. It is this transformation to what has been called the 'Web 2.0' that seems to have unlocked the true potential of the platform model (Helmond, 2015). The rapid development of the internet and the application-based communication it has enabled seems to have started the widespread adoption of the platform business model. Digital platforms have indeed seized this opportunity to create multi-sided networks of an unprecedented scale. These large networks, which are made accessible via simple and intuitive mobile applications, drastically reduce search and information costs for consumers. Simultaneously, they increase heterogeneity of supply, since suppliers from across the globe can connect to the

network and offer their tailor-made services. Consumers can easily determine quality and reliability of offerings through the detailed review and rating systems. Furthermore, digital platforms reduce efforts to conclude a transaction, by offering fluent payment solutions.

Although the discussion above describes three theoretical commonalities of the platform model, the application of the platform model is highly diverse and heterogeneous. There are many articles and reports that discuss the different ways in which one can categorize platform work (so-called platform 'typologies' or 'taxonomies'), aimed at directing the efforts of policy makers to tailor policy initiatives to certain types of platforms (Blaschke et al, 2019; Kenney & Zysman, 2019). It goes beyond the purpose of this discussion to provide an exhaustive overview of this discussion, but it is interesting to discuss three dividing dimensions that can be inferred from this body of literature. First of all, one can make a distinction between fully- and semi-digital platforms. On fully digital platforms, the interaction between demand and supply happens online (e.g. clickwork, advertising platforms) (Forde et al, 2017; Huws et al, 2016). Semi-digital platforms, on the other hand, *facilitate* the interaction through a digital platform, but that interaction has a physical component (e.g. dating apps, meal delivery services, ride-hailing apps) (De Stefano, 2016). Secondly, platforms differ in the type of user they connect. This can be a consumer-to-consumer interaction (C2C), a business-to-consumer (B2C) or a business-to-business interaction (B2B). Finally, a useful dividing line, especially in the context of platform working conditions, is the amount of control that a platform exercises over the underlying interaction it facilitates. Platforms that exert a high degree of control over the transaction, most likely have a more extensive influence on platform working conditions.

In sum, one could argue that the combination of multi-sidedness, network effects and digitalisation has resulted in a sharp decrease of transaction costs during all stages of the transaction (Zhao et al, 2019). This has undoubtedly resulted in a significant increase of consumer welfare. For suppliers, however, these developments are not necessarily beneficial. For instance, the aforementioned systems of rating and review create a highly competitive market which demands a high standard of work.

### *2.3 The scale and development of platform work in the context of the labor market*

In order to assess the scale of the issues associated with platform work, it is important to know the share of economic activity that is facilitated by digital platforms and how this develops over time. But before delving into platform-specific data, it is valuable to assess the position of platform work in the larger context of labor market developments. Given the concerns related to platform work as development of a transformative scope and magnitude, one would expect shares of precarious and non-standard work to increase, since platform work would qualify as either or perhaps even both. Joyce et al (2020) provide a concise and befitting account of these developments. Most importantly, they conclude that current data does not show a visible increase in precarious work. Currently, the share of precarious work is low at around 2.3% in 2017. In addition, developments in non-standard work do not appear to be significant either.

In the past several years, an increasing amount of research has become available on the scale of platform work and the conditions under which it is performed. At the same time, it should be noted that the empirical evidence available is limited and lacks reliability and depth (Joyce et al, 2019). For instance, it is difficult to reach offline crowd workers (e.g. delivery couriers) through surveys and the information obtained is often insufficient to attribute a certain scale to the issues identified.

Nevertheless, this section will explore the evidence currently available on the scale and development of platform work.

The EU has prioritized the gathering of empirical evidence by setting up the survey-based ‘COLLEEM’ research project. This project captures important aspects of the digital economy by researching its supply-side (i.e. the platform workers). The first iteration of the study was published in 2018 (Pesole et al, 2018) and the second iteration has been published recently (Pesole et al, 2020). Adopting a very broad definition of platform work, that basically includes every worker that has ever earned some form of income on digital platforms yields the observation that around 9.5% (2017) and 11% (2018) of European workers engage in platform work. When this share is broken down according to hours worked on and income earned through digital platforms, the insights change. Only 1.4% (2018) of European workers earns over half of their income via digital platforms or works more than 20 hours per week in the gig economy. In addition, the data suggests that the number of platform workers in Europe is increasing slowly but steadily, especially when considering workers who do not earn the main share of their income via platform work.

The COLLEEM II survey, by merely providing data on 2017 and 2018, does not yet provide a reliable image of the development of the size of the platform economy. The Online Labor Index (‘OLI’) of the University of Oxford and the Oxford Internet Institute provides such data for a longer time horizon (2016-present). In contrast to the supply-oriented COLLEEM study, the OLI is a demand-based indicator that is constructed by tracking all the projects and tasks posted on the five largest English-language online labor platforms, representing at least 70% of the market by traffic. The projects are then classified by occupation and employer country. This provides an index that aims to capture growth of the platform economy. The data has been gathered since 2016 and has since shown an increase in demand for online gig-work by roughly 20% per year (Kässi & Lehdonvirta, 2018). Figure 1 displays the data of the OLI, with the index on the vertical axis and time on the horizontal axis.



Figure 1: the OLI (source: Online Labor Index, University of Oxford and Oxford Internet Institute).

Another conclusion suggested by the OLI data is that there is a high degree of irregularity of demand for online platform work. The majority of the time horizon in Figure 1 shows large fluctuations in the number of online labor tasks demanded. It should be added that this conclusion applies to online *labor* platforms specifically. The OLI only includes platforms that deal in the performance of online labor, which means that all aspects of the transaction must be entirely digital. Platform work that involves digital matching but entails the physical performance of the service transacted, such as Uber or Airbnb, is excluded from the OLI. Although this means that a significant category of digital platform work is not included, it produces some insights in the size and growth of the demand for online platform work. Finally, it should be noted that the OLI has several shortcomings, rendering its explanatory value rather limited. First off, it measures tasks and projects on a per-unit basis rather than a per-hour basis, which means that the actual volume of hours worked on the platform might be different. Secondly, the OLI captures activity on the five largest online labor platforms and thus assumes that online labor platforms do not (substantially) grow in width.

A description of the development of platform work is thus incomplete without assessing supply-based efforts of analysing developments in the scale of platform work. According to Farrell & Greig (2017), growth of platform work has been slowing in recent years. This appears to be related to the high turnover in platform work (i.e. how quickly supply-side entrants quit platform work again) and the strengthening of the traditional labor market (Farrell & Greig, 2017). Notably, half of platform workers leave platform work within 12 months after they started performing platform work. This suggests two things: (i) the growth of platform work seems to be inversely connected to the unemployment rate: as unemployment increases, more workers resort to platform work as a way to ‘bridge the gap’ between two stable occupations and (ii) in general, the conditions of platform work are not such that they tempt platform workers to continue platform work once the opportunity of performing regular work presents itself again.

#### *2.4 Who is the ‘platform worker’?*

Before assessing the conditions of platform work, it is useful to gain some form of understanding about typical characteristics of platform workers and their motivations for engaging in platform work. A finding that surfaces in nearly all empirical studies on platform work is that most platform workers do not rely on platform work as their main source of income for a longer period of time (Huws et al, 2017, 2020; Forde et al, 2017). In a study by the European Commission, 75% of participants indicated that their financial dependence on platform work was either ‘low’ or ‘medium’ (Forde et al, 2017: 48). For this group of ‘partial’ platform workers, the empirical evidence roughly suggests a distinction between two motivations for engaging in platform work: (i) bridging the gap between occupations and (ii) supplementing income. The previous section already outlined that half of platform workers quit platform work in less than one year. When combined with the insight that most platform workers do not perform regular employment at the same time (Farrell & Greig, 2016), one could say that the largest share of workers rely on platform work temporarily, to bridge the gap’ between forms of regular employment. The other category of platform workers relies on platform work to supplement their main income via (irregular) platform work (Huws et al, 2018). This category in particular includes students, who appear to value platform work for its flexibility (Forde et al, 2017).

In terms of demographics, several empirical observations are worth mentioning. First of all, the gender balance appears to be relatively even (Berg 2016; Huws et al, 2017; Ipeirotis, 2010), with an exception for labor platforms, where men seem to outnumber women (Berg et al, 2018). Furthermore, platform

workers are generally younger than the average working population (Berg, 2016; Eurofound, 2015; Huws et al, 2016; Ipeirotis, 2010). Educational attainment differs between purely online gigwork ('clickwork') and gigwork that includes a physical component (e.g. Uber, Deliveroo, Airbnb). While workers in the former category have a significantly higher level of education, the latter category approximates the average level of education of the general population (Berg, 2016; Eurofound, 2015; Ipeirotis, 2010; Huws et al, 2016; Forde et al, 2017).

### *2.5 Platformisation and the conditions of work*

Platform work is often presented by platforms as an opportunity to benefit from high levels of flexibility. This increased flexibility, however, often seems to come at a cost. Since the platform business-model relies on solo self-employed suppliers, platform suppliers have to assume all kinds of risks (commercial, health, occupational) and enter an entirely new domain of competition. Rather than dividing work among colleagues, platform workers have to compete for work. Especially in times of scarcity, this can create uncertainty in terms of income security. Moreover, platform workers can be confronted with platform-imposed rules that impede their ability to generate income. Platforms may, for instance, impose so-called 'most favoured nation' clauses, which prohibit suppliers from offering services elsewhere for a lower fee (e.g. hotel booking agreements). In addition, the ambiguous legal status of platform work – it is still unclear for many platforms whether suppliers qualify as solo self-employed or workers – creates additional uncertainty regarding the benefits and social protection to which platform workers are entitled. These circumstances, in turn, can have a negative impact on general life happiness, stress levels and the worker's private life (Huws et al, 2017).

To distinguish fact from fiction, this section aggregates the results of several studies on the conditions of platform work, including the aforementioned COLLEEM survey and a survey conducted by the International Labor Organization ('ILO'; Berg, 2016). The analysis is broken down into four determinants of the conditions of platform work: (i) remuneration and financial security, (ii) working hours, quality and availability of work and (iii) health, life satisfaction and private life.

#### *2.5.1 Remuneration and financial security*

Several studies confirm the image that platform workers have lower income security than other workers (CIPD, 2017; Huws et al, 2017; Berg, 2016; Brancati et al, 2020; Joyce et al, 2019). An important determinant of financial security is the basis on which work is remunerated (per task, per hour or fixed). The results of COLLEEM II reveal that roughly two thirds of platform workers are paid on a per-task basis, a quarter is remunerated based on hours worked and a mere 6.7% receives a fixed remuneration. Although platforms tend to reduce search costs for consumers, they appear to increase the costs of obtaining work. The high share of per-task payments suggests that many platform workers must also invest a lot of unpaid time into obtaining paid work, before actually being able to perform the paid task. For labor platforms specifically, nearly one in four minutes is spent on unpaid work. The fact that such unpaid work is hard to quantify hinders researchers in estimating the average hourly wage of platform work. For labor platforms, Berg (2016) found that workers' pre-tax earnings were on average between \$1 and \$5.5 per hour. Hall and Krueger (2018) estimate that Uber drivers earn an average hourly wage of \$6. Berg et al (2018) estimate that two-thirds of all Amazon Mechanical Turk (AMT) workers in the US earn less than the US minimum wage. In Germany, only 7 percent of AMT workers appears to earn above the minimum wage of €8.84. Moreover, it seems that platform work is characterised by a high variability in hourly wages (Bogliacino et al, 2019). Considering various types

of activities on one labor platform, Upwork, reveals that workers earn \$16 per hour for software-related tasks, \$8 for writing, \$4 for administrative support and \$5 for customer support and sales marketing (Bogliacino et al, 2019). Although these figures confirm that platforms are in a delicate position with regard to income security, future studies with a wider ambit are needed to further pinpoint which types of platform work are in the most precarious position.

### 2.5.2 Working hours, quality and availability of work

The COLLEEM II survey reveals that platform workers generally work more hours per week than non-platform workers. Although this, in itself, does not have to be out of necessity, the information on income insecurity above at least suggests that there is a link between both. Moreover, platform work more often takes place during unsocial hours (nights, weekends, long hours). More than two thirds of all platform workers perform their services during the weekend and at night. With regard to the quality of platform work, there appears to be a discrepancy between the quality reported by experts and the perceived job quality of platform workers themselves. While experts note that many platform jobs appear to be on the bottom end of the labor market and that these types of work resemble bad employment practices, poor working conditions and job insecurity, many platform workers report *“relatively high levels of satisfaction with the work itself, variety of tasks, and, especially, time flexibility”* (Forde et al, 2017: 50). At the same time, platform workers appear less satisfied with career prospects, pay levels, and job security, which confirms the aforementioned concerns of experts.

The data of the Online Labor index already indicated that the availability of platform work (at least on labor platforms specifically) can vary drastically. This is to be expected, since platform work is highly flexible. A sudden economic downturn, as for instance occurred during the corona-crisis, can immediately result in a lower demand for platform work. Regardless of the effect of economic shocks, platform workers report that there is insufficient work available. In the ILO survey on labor platforms, 90% reports that they would like to work more than they are currently doing. Depending on the platform, around 36-60% reports that this is due to insufficient availability of tasks on the platform. Also, many crowdworkers are actively looking for other work to supplement their crowd work. This suggests that the lack of available work is an issue for many crowdworkers. In The Economy Workforce Report, 49% of the respondents complain about not finding enough work (Bogliacino et al, 2019). Interestingly, while platformisation drastically reduce search and transaction costs for consumers (Drahokoupil & Piasna, 2017), it increases these costs for workers. They have to undergo fierce competition for acquiring work and are sometimes even dependent on platforms (Uber, Deliveroo) allocating work to them (Bogliacino et al, 2019).

### 2.5.3 Health, life satisfaction and private life

A regularly voiced concern is that the high levels of insecurity of platform work result in health issues and put pressure on workers' private lives. In addition, certain types of platform work are physically challenging. Clickworkers have to spend long hours at the screen, which can cause eye-strain and chronic back problems (Huws et al, 2017). Delivery workers and drivers for ride-hailing platforms face the risk of being involved in traffic accidents. Interestingly, an interview-based research showed that psychological hazards were more prevalent in the stories of platform workers than physical ones. Some reported high stress levels and feelings of depression, for instance after suddenly being deactivated by the app platform for which they used to work. This resulted in increased strain on family relations. Also, some forms of platform work are described as inherently stressful. Some click- or task-based

workers, for instance, face high levels of unpredictability in their work and have to be able to react instantly.

A survey held across four clickwork platforms (Joyce et al, 2019) reports that platform workers who solely depend on platform work are likely to report long term illness (30%) and disabling conditions (26%). A broader research on non-permanent work (Scherer, 2009) shows that people in insecure employment have less time for their family and thus more work-family conflicts. Furthermore, they report lower levels of life-satisfaction, slightly higher health problems and plan to have less children.

Finally, platform workers, moreover, generally do not appear to invest in private insurance. The ILO Crowdwork Survey, conducted in 2017, indeed reports that platform workers have lower levels of health insurance and make fewer contributions to pension schemes (Berg et al, 2018). The Economy Workforce Report, in addition, reports that 8% of drivers and 16% of delivery workers are uninsured and that 30% has no health insurance, which is significantly lower than other workers (Bogliacino et al, 2019). Similar findings are reported by Berg (2016) and Joyce et al (2019).

### *2.6 Conclusion: a general tendency towards the 'platformisation of work'*

This chapter has provided detailed insights into the scale and development of the digital platform economy, the characteristics of platform workers and the conditions under which platform work is performed. Approximations of the share of platform work range from 1 to 12% of total employment, depending on the extent to which workers rely on platform activities. Although consumers generally benefit from the drastic reduction in transaction costs that platforms enable, platform workers often find themselves in a more precarious position. They face low income security, often have to work longer and unsocial hours and the quality and availability of work is very volatile. Furthermore, many have little or no insurance and lack adequate social protection due to their status as solo self-employed.

Although the current scale on which platform work is performed might not be sufficient to say that platforms are able to 'transform' spheres of economic and social life, it has been noted that the effects of platformisation extend beyond the direct conditions of platform work itself. Huws et al (2017, 2020), who have set up an extensive empirical research project focused on the circumstances of platform work, point at a more general 'platformisation of work':

*"This evidence points to a trend towards the digital management of work, which extends well beyond work carried out under the control of online platforms. Indeed, it could be argued that a general 'platformisation' of work is taking place across the labor market, of which platform work forms only a small proportion."* (Huws et al, 2020: 23)

Their empirical evidence provides two important insights in this respect. Firstly, many workers rely on platform work to supplement income in addition to their main occupation, which is often a full-time job. This combination, resulting in more working hours, has negative implications for work-life balance. Secondly, the systems of digital monitoring and rating of platform workers that digital platforms have set up, are also increasingly adopted by non-platform firms, resulting in a new, algorithm-driven way of working. This illustrates that efforts to empirically capture the processes governing digital platforms should not be restricted to platforms, but must be assessed more broadly in light of the changing circumstances of work. The development of 'the platformisation of work' thus does not merely stand for the increased presence and adoption of the platform model, but reflects a broader move away

from the traditional, clearly-defined organizational model of the employee-driven firm. Although it goes beyond the scope of this thesis to capture all the relevant aspects that shape the 'platformisation of work', the next chapter does provide a normative framework that enables the assessment of platform work in the wider context of the changing societal values regarding work.

### **3. A normative framework for assessing flexibilization of labor based on Honneth's idea of organized self-realization**

#### *3.1 Introduction*

The empirical evidence summarized in the previous chapter enables one to observe the developments surrounding work, but it does not provide a basis for making the value-judgments regarding such developments that policy recommendations require. The normative framework presented in this chapter, that draws on the work of the German scholar Axel Honneth, serves to enable such a value-based evaluation of the developments surrounding platform work. By outlining Honneth's paradigm of 21<sup>st</sup> century labor, which describes a contradictory state of affairs which he describes by the term 'organized self-realization', this chapter sets the stage for normative discussion the developments in the conditions of work through platformisation as outlined in the previous chapter.

Axel Honneth is a member of the Frankfurt School, a German collective of critical philosophers and social theorists. This school of thought is well-known for its Critical Theory approach, that can be characterised as a hybrid form of social theory, drawing from (but also resisting against) the empirical approach of scientific social theory and the normative perspective of philosophically-oriented social theories. Honneth's work in particular is interesting for the application to platform work because of its concern with normative implications of the changing conditions of work.

This chapter proceeds as follows. The subsequent section (3.2) first contextualizes Honneth's background by outlining the philosophical foundations of the Frankfurt School. Specifically, it discusses how the approach of Critical Theory, by rejecting positivist social theoretic and pure normative philosophical approaches, finds a middle-ground for analysing social phenomena. Furthermore, it briefly outlines some of the central philosophical inspirations for the work of the Frankfurt school. Section 3.3 then turns to the work of Honneth himself, outlining some of the central themes of his work. Finally, it discusses the methodological approach of normative reconstruction, upon which Honneth relies for formulating his theses. Section 3.4 subsequently outlines Honneth's social critique of work, which he captures by the term 'organized self-realization'. Section 3.5 places this concept in a broader context, by discussing similar and contrasting views of other authors. Section 3.6 concludes.

#### *3.2 The Frankfurt School of Critical Social Theory*

The work of Axel Honneth forms part of a school of thought generally referred to as the Frankfurt School of Social Theory and Critical Philosophy. This school emerged during the interwar period and was founded by a group of thinkers (Horkheimer, Adorno, Marcuse) who were all members of the Institute for Social Research at the University of Frankfurt. The Frankfurt School has been historically subdivided into three generations (Anderson, 2000), the third of which is generally said to be led by Axel Honneth. The first and second generation Frankfurt thinkers, of which Horkheimer and Habermas respectively are the most authoritative members, will be the subject of the following paragraphs. Simultaneously, these paragraphs aim to provide a non-exhaustive overview of the main characteristics – both methodological and substantive – of the Frankfurt School.

The views of Horkheimer and the other founders of the Frankfurt School were firmly rooted in Marxist theory of political economy, focusing primarily on the economy and the societal position of the working class (Held, 1980). In the spirit of Marx, their work often contains an element of organization of the working class in opposition to their inequitable social position. Weber's theory of the iron cage, that describes how capitalism in western societies have foregrounded principles of efficiency, calculability

and control which lead to the entrapment of individuals, greatly influenced the works of first generation Frankfurt scholars (Held, 1980). With regard to concepts of freedom and autonomy, the works of Hegel are frequently cited. He views freedom as an *intersubjective* value, that is, it is determined through social interactions. Rather than merely defining freedom as an individual freedom *from* interference, Hegel requires for true freedom the recognition of that freedom *by* others (Houlgate, 2005). These and other influences led first generation Frankfurt thinkers to condemn the reduction of individual freedom resulting from the conforming capitalist forces. Finally, Frankfurt thinkers held contempt for economic reductionism. Based on Lukacs' ideas about capitalist forces of 'reification' or commodification, Frankfurt thinkers dismissed such reductionism as the "*failing to address phenomena as parts of a societal whole and [...] not taking into account that society is an open totality whose constitution is contingent upon the changes of its parts, that is, ultimately it is grounded in the materiality of the existing social relations*" (Rothe & Ronge, 2016: 6).

The main contribution of Horkheimer is the conception of a new method of theorizing social phenomena, which he named Critical Theory. In order to understand how Critical Theory approaches social phenomena, it is useful to briefly explain the various theoretical approaches to social research. A clinical, textbook description of social theory distinguishes between three types of social research: scientific (or traditional), philosophical and moral theory (Seidman, 2016). Strictly speaking, traditional social theories adopt a positivist world-view, assuming that knowledge is objective and seek to infer theoretical notions of a universal nature from facts through empirical observation. Philosophical theories take the endeavour to the next level: they aim to formulate overarching theories of human behaviour and social evolution. Finally, moral social theorists propose a more activist role of social theory, one that should contribute to taking social life forward. The purpose of such a theory is not to merely reveal social truths, but to warn society for the negative implications of certain social developments and mobilize public action.

One could say that Horkheimer's Critical Theory is best placed in the middle of this theoretical triangle. While empirical observation of the life-world does have its place, Frankfurt theorists reject the pure scientific approach towards social theory by arguing that knowledge has a *subjective* character, since it is influenced historically and socially: "*the facts which our senses present to us are socially preformed in two ways: through the historical character of the object perceived and through the historical character of the perceiving organ*" (Horkheimer, 1972: 200). Critical theorists borrow from the philosophical approach a perspective of totality, in the sense that society should be analysed as one organism rather than as consisting of individual forces. Finally, for a theory to deserve the label 'critical', it must also include a moral component by advocating social action.

Critical Theory could be described as a self-reflecting form of social science, where the objective is to test social phenomena against the institutional values they ascribe to. Horkheimer describes the notion of Critical Theory as having "*for its object men as producers of their own historical way of life*" (Horkheimer, 1972: 244). A Critical Theory thus analyses the normative standards implied in social life itself, describing an ideal moral state that is inferred from that social life and subsequently assesses where these normative standards are not realized. Here, the moral aspect of Critical Theory surfaces, as it aims to lay bare an inconsistency between values that social agencies aim to uphold and how this works out in the real world (Horkheimer, 1972). By exposing such discrepancies, a Critical Theory aims to contribute to promoting social freedom. In order to amount to a Critical Theory, the endeavour should aim at human "*emancipation from slavery*" (Horkheimer, 1972: 246).

The most prominent member of the second generation of Frankfurt thinkers is Jürgen Habermas. In his defining work entitled *Theory of Communicative Action*, he argued that the first generation Frankfurt thinkers did not meet their self-imposed standard of self-reflective Critical Theory, since they failed to self-reflect on their condemning stance on capitalism (Habermas, 1987; Anderson, 2000). He thus changed course by modifying Critical Theory as defined by the first generation (Held, 1980) and proposed alternatively that the normative foundations for Critical Theory lie in the understanding of communicative action. His theory is that the social order ultimately depends on the ability of individuals to recognize the validity of the claims thereto that underly all forms of communicative action (Bohman & Rehg, 2017). Although his work is highly interesting, it is not further discussed in this chapter due to the limited relevance for the topic of this thesis.

### 3.3 Third generation Frankfurt School: Axel Honneth

The third – and currently emerging – generation of Frankfurt thinkers is led by Axel Honneth, who was also the director of the Institute for Social Research from 2001 until 2018. His publication entitled ‘The struggle for recognition’, published in 1995, starts from the idea that ‘a good life’ is defined by individual self-realization, that is, the ability to autonomously set and realize one’s own life-goals (Honneth, 1995: 174; Van Leeuwen, 2007). A necessary precondition that enables one to self-realize is the possession of a positive self-identity. Honneth borrows this point of departure from Hegel and Mead:

*“The point of departure for a social theory of this sort has to be the basic claim on which the pragmatist Mead and the early Hegel are agreed in principle: the reproduction of social life is governed by the imperative of mutual recognition, because one can develop a practical relation-to-self only when one has learned to view oneself, from the normative perspective of one’s partners in interaction, as their social addressee.”* (Honneth, 1995: 92).

Honneth essentially argues that one will not strive for the aforementioned life goals without a positive self-image and sufficient self-confidence. This positive self-identity is not merely a product of one’s own behaviour. Honneth argues that a positive self-identity necessarily depends on the recognition by others of this positive identity. As Honneth puts it: *“with every value that we can affirm by an act of recognition, our opportunities for identifying with our abilities and attaining greater autonomy grow”* (Honneth, 2012a: 334). This idea is based on Hegel’s conception of freedom, which the latter – as explained in the previous section – deems *intersubjective*. One can thus identify a train of causality in Honneth’s argumentation. Self-realization is causally related to a positive personal identity, which is in turn causally related to intersubjective recognition.

In the aforementioned publication of 1995, Honneth distinguishes three patterns of recognition: love, rights and solidarity. Through each of these patterns of recognition, individuals can receive both respect and disrespect. The first pattern, love, should not be understood by a contemporary, narrow definition of intimate love between partners, but is rather *“constituted by strong emotional attachments among a small number of people”* (Honneth, 1995: 95). Honneth specifically mentions the example of the parent-child relation as an illustration. This very emotional, nearly primal notion of love means that recognition itself should have an emotional character as well, or in the words of Honneth, one of *“affective approval or encouragement”*. Important for recognition through love is thus the physical presence of the other and the physical expression of his recognition. In terms of

consequences, recognition through love amounts to basic self-confidence, which forms the basis for the development of other forms of self-respect.

The second pattern, rights, relates to the recognition of an individual as an autonomous and independent member of society. Recognition thus not so much depends on the physical presence and emotional commitment of others, but has a more rational character and depends on the institutional qualities of society. The institutional environment enables recognition of individual autonomy if individuals are treated as bearers of equal legal, social and political rights (Visser, 2019). Such recognition contributes to the development of self-respect.

The third and final pattern, solidarity, refers to the positive evaluation of personal traits and abilities by others. This presupposes what Honneth calls an 'intersubjective value-horizon', i.e. it requires that the individuals both value these traits and abilities as something positive. For, in the absence of such agreement, one cannot truly recognize "*the significance or contribution of [one's] qualities for the life of the other*" (Honneth, 1995: 121). Such recognition is important for the development of self-esteem, or the positive evaluation of one's own capacities and achievements.

From the definition of these various patterns of recognition, Honneth deduces moral obligations. Moral behaviour based on recognition through love would, for instance, entail the protection against physical abuse. Recognition through rights prescribes the fostering of individual autonomy, e.g. by adhering to legal norms that seek to protect this individual autonomy. Recognition through solidary, finally, renders as morally right behaviour the protection of shared values about which behaviour contributes positively to society and which causes harm. Since the theory defines these moral behaviours, it also implies that individuals have a legitimate right to be treated in accordance with these moral obligations. Accordingly, misrecognition and disrespect are seen as infringements thereof (Visser, 2019).

Honneth extends intersubjective freedom to the institutional level by not merely focusing on recognition by another individual subject, but also being recognized through societal institutions (Honneth, 2007). Similar to recognition between two individuals, individual freedom is recognized through institutional policies and practices. The materialization of such generalized recognition occurs for instance through legal definitions, political representation and material redistribution. According to Honneth, successful acts of institutional recognition satisfy three conditions: they must be (i) positive, (ii) credible and (iii) contrastive. Positivity means that the act of recognition must give all subjects the ability to relate positively to themselves, so this criterion excludes by definition any classification that would deny a certain value to a subject or group (since that would automatically lead to negative self-relation for a certain group), such as discrimination, xenophobia etc. Furthermore, only if the act of recognition is credible, it will effectively lead to the strengthening of the self-image of its addressees. Finally, the act should be contrastive in the sense that it bestows upon its addressee a sense of distinction.

Honneth devises a method of social research called 'normative reconstruction'. The starting point for this method is that social reproduction (i.e. the maintenance of existing social relations) depends on a set of shared fundamental ideas and values, which constitute the ultimate reality of society. Not just any norms, but only "universal ideals", articulated in notions of freedom, autonomy and self-determination are determinants of social reproduction. Importantly, those norms are not independent and free-standing, but derive from existing institutional structures. With this feature, Honneth

contrasts his method with Kantian constructivism, which relies on “*abstract and independent normative principles*” (Curty, 2020: 1340). Normative reconstruction, on the contrary, as a tool of analysis, seeks to uncover and clarify those *existing* institutional practices that realize such norms. Specifically, ‘reconstruction’ suggests a certain social criticism, outlining how elements of existing institutional practices fail to *realize* the values that they reflect or produce. In the words of Honneth, normative reconstruction “(...) *derives its requirements of justice directly from the norms inherent in the practical spheres of modern societies and has the objective of defining how these norms are articulated in their respective sphere by retracing the social conflicts and struggles over their appropriate applications and interpretations.*” (Curty, 2020: 1340-41).

Honneth employs this method of normative reconstruction to uncover ‘normative paradoxes’ of the present (Honneth & Sütterluty, 2012). With this term, Honneth refers to contradictions between the norms that exist in the life-world and particular elements of that life-world which prevent the realization of such norms. Thus, the term paradox here does not refer to a logical contradiction, but reflects the idea that circumstances, which are linked to a certain socio-economic or cultural development which is generally recognized as progress, are able to gain a ‘self-destructing dynamic’.

#### 3.4 Honneth’s theory of ‘organized self-realization’

By applying the method of normative reconstruction to the labor market, Honneth aims to uncover normative paradoxes of work. In order to describe the contemporary normative expectations of work, Honneth outlines several historical developments that together have shaped these expectations. Notably, he pays attention to the development of individualization throughout the previous century (Honneth, 2004). Individualization has played an increasingly central role in societal developments, more specifically by increasing autonomy and authenticity of the individual, which has led to the point where “*the claims to individual self-realization (...) have so definitely become a feature of the institutionalized expectations inherent in social reproduction*” (Honneth, 2004: 467). Honneth, however, argues that this process of individualization has, in the meantime, surpassed the objectives of increasing individual autonomy and authenticity and that it has resulted in a new form of individualism, that paradoxically reverses its original goals of (notably) increasing autonomy and authenticity. He posits that the various processes of individualization have in recent decades “*altered into an ideology of de-institutionalization*” (Honneth, 2004: 467) that effectively reduces the ability to attain the aforementioned goals.

Honneth defends this stance by analysing the ‘new forms of individualism’ that emerged from the globalisation of capitalism following World War II. Honneth describes how a variety of developments essentially led to the “*setting [of] individuals at the centre of their own life planning*” (Honneth, 2004: 470). Some examples include the expansion of the Western capitalist countries’ services sector, which created chances of career advancement and, consequently, increased possibilities for upward social mobility. Likewise, the multiplication of educational options expanded the opportunities for individual self-discovery and self-reflection (Honneth, 2004). The disentanglement of class-specific structures, for instance through renovation of urban areas, likewise widened the possible trajectories one’s life could follow. Importantly, these developments in capitalist society were all *state-regulated* (Hartmann & Honneth, 2006). Resorting to his recognition theory based on love, rights and solidarity, Honneth claims that the aforementioned developments led to four normative expectations: (i) individualism as the basis for personal identity; (ii) an egalitarian conception of legal and political justice; (iii) the idea of achievement as the basis for social status; (iv) the romantic idea of love (Hartmann & Honneth,

2006). These expectations form, in the words of Honneth and Hartmann, a *“normative surplus of (...) institutionalized norms of justice”* (Hartmann & Honneth, 2006: 43). Stated differently, they allow individuals to push out the boundaries of the established social order, by seeking enforcement of their claims to increased individual autonomy, more extensive protection of equal rights and higher rewards (both material and in terms of social esteem) for individual achievements. This process of heightening of claims to individual self-realization has a transformative potential, since it allows for the continuous (legitimate) challenging of the status quo in society.

An important precondition for the realization of such claims is the role of the state as an enforcer. With the start of the neoliberal revolution in the 1980s, the role of the state changes. Honneth signals an inherent tension between the increased claims to self-realization on the one hand, and the reduction of the steering role of the state. Hence, the neoliberal revolution presents a turning point in the aforementioned development of individualization. One can distinguish three levels in Honneth's description of the emergence this organizational form of neoliberal capitalism. On the state-level, he highlights the disorganized state of capitalism, referring not only to the retracting role of the state, but also processes of globalization and internationalization of financial flows. On the firm-level, neoliberal capitalism is reflected by a shareholder-oriented model, where the value of the share reflects firm value, rather than the value of the firm for other groups in society, such as workers and consumers. On the individual level, Honneth follows the idea of Boltanski and Chiapello (1999) that neoliberalism has introduced what they describe as 'the new spirit of capitalism'. These authors employ Weber's idea that capitalist practices require justification ('a story') in order for individuals to follow them. For contemporary capitalism, this story is project-oriented, which means that flexibility to adapt to a given circumstance represents economic value. Rather than to *“efficiently fulfil hierarchically determined parameters within a large enterprise”* (Honneth, 2012: 175), which is how the old (Taylorist or Fordist) model of organization of work could be described (Weiskopf & Loacker, 2006), the new, flexible capitalism produces 'entployees'. The quality of this flexible breed of workers is defined by their *“readiness to self-responsibly bring one's own abilities and emotional resources to bear in the service of individualized projects”* (Hartmann & Honneth, 2006: 45). This project-based organization of economic activity also changes the structure of networks and enhances their importance for securing work. Honneth thus observes a changed set of normative expectations regarding work, that can be summarized by the term 'entrepreneur of the self'. This new definition of the 'ideal worker' emphasizes flexibility, autonomy and self-management as important qualities that contemporary workers should possess.

Going further, the second stage in Honneth's normative reconstruction of the labor market results in the discovery of elements that *prevent* the realization of this new worker ideal of the entrepreneurial self. Honneth points out several of these elements: *“the rapid “casualization” of jobs, the rapid growth of flexible labor, the undermining of what is called by David M. Kotz “corespective competition,” the penetration of market principles within large corporation”* (Curty, 2020: 1344). Honneth identifies such practices as 'ideological recognition', a term by which he describes the negative aspects of institutional forms of recognition. Since institutional practices affect individuals, they can be modified at will to ensure that individuals conform to a certain social role, with the goal to make them take up certain tasks or make sacrifices, crafting an 'ideology' that keeps structures of domination intact. With regard to work specifically, Honneth argues that ideological forms of recognition can be identified in the discrepancy between the social expectations of workers as 'entrepreneurs of the self' and the aforementioned developments surrounding the contemporary workplace, which deny workers the

possibility to become this entrepreneurial, flexible, self-employable worker. The story-oriented justification of the ideal of the 'entrepreneurial self', Honneth argues, reflects this deliberate influencing of the social norms of work, since it allows market operators to require more of workers, *"in terms of involvement, flexibility and individual initiative"* (Honneth, 2004: 474). However, these workers are nevertheless expected to continuously adapt to what the specific working circumstances require from them.

This discrepancy between actual working conditions and the espoused values of work is what Honneth calls a 'normative paradox'. The paradoxical nature lies in the fact that the transformative processes described above effectively reverse the impact of normative claims to flexibility and autonomy in the workplace (Hartmann & Honneth, 2006). Honneth seems to point at two diverging developments, that create the aforementioned 'self-destructive dynamic' of a normative paradox: while on the one hand, processes of individualization and de-institutionalization created new norms of flexibility and autonomy regarding work, they simultaneously resulted in the absence of the state as the enforcer of these social norms. As the previous paragraph illustrated, however, it has become apparent that the market cannot take over this function, since it prioritizes efficiency over personal autonomy.

Honneth captures the normative paradox of work in the term 'organized self-realization': while individuals have seemingly legitimate expectations of individual self-realization, the material conditions of the workplace require the exact opposite, i.e. adaptation and subordination to the environment they are confronted with. This reconnects with the third pillar of recognition theory, solidarity: the intersubjective value-horizon regarding individual self-realization is absent here, since the material conditions of work do not recognize the need for such *individual* self-realization, but merely the forms of self-realization that fit the organizational goals and structure. The concept of organized self-realization thus seems to (purposely) reflect a *contradictio in terminis*: the organizational structure per definition denies individuals the autonomy to fully self-determine the life goals they want to realize. Honneth also argues that the neoliberal creation of the of entrepoyee results in a commodification of personal identity development. Honneth ties this new ideal of the entrepoyee, that demands workers to continuously 'sell themselves' by pretending to be authentic (which he describes by the term 'reification'), to *"inner emptiness, of feeling oneself to be superfluous, and of absence of purpose."* (Honneth, 2004: 467). Honneth describes this as a 'pathology' of individualism, that bears a strong mark on 21<sup>st</sup> century workers:

*"Urged from all sides to show that they are open to authentic self-discovery and its impulses, there remains for individuals only the alternative of simulating authenticity or of fleeing into a full-blown depression, of staging personal originality for strategic reasons or of pathologically shutting down"* (Honneth, 2004: 475).

### 3.5 Honneth's idea of self-realization in a broader perspective

Briefly summarized, section 1.4 described how the emergence of contemporary forms of non-standard labor, such as platform work, illustrates the existence of a new, 'post-disciplinary' regime of work (Weiskopf and Locker, 2006), which is the successor of a disciplinary regime. Both regimes correspond to the shape and characteristics of the economy. The disciplinary regime refers to the *"meticulous organization of production"* at the time, with the model of the factory as a prototype device of economic organization. This structure of economic organization required well-trained, disciplined workers that fit the 'productive machine' (Foucault, 1977). The post-disciplinary regime corresponds

with a new economic reality that emerged from roughly the 1980s onwards (see section 3.4 of this thesis). Driven by forces of individualisation, digitalisation and globalisation, the economy transformed into a disorganized, network-driven and service-based form of capitalism (Weiskopf and Loacker, 2006). As said, the expectations of workers have changed accordingly. No longer is the prototype worker expected to adhere to predefined structures and follow discipline, but (s)he is encouraged to cultivate qualities of flexibility, adaptivity and networking capacities. Some say that adopting these qualities is almost imperative, for the hypercompetitive forces that drive markets tend to render workers that lack such qualities superfluous.

The economic and social developments described above illustrate how external forces require workers to adapt. At the same time, however, another movement can be distinguished in the literature, that frames the emergence of the ideal of self-realizing, autonomous and flexible workers as a conscious and deliberate choice (Cappelli, 1999; Arthur & Rousseau, 1995). Workers, so the argument goes, were fed up with the negative aspects of disciplinary organization, such as the straightjacket of control and supervision, the lack of variation and limited room for creativity and initiative. As Guest notes:

*“The growth of the knowledge worker has created a new opportunity for freedom and autonomy from the controls exercised by organizations. The concept of the ‘free worker’ who thrives on independence and high levels of employability has been presented as an opportunity to turn the tables and assert the power of the knowledge worker over the knowledge-hungry organization”* (Guest, 2004: 2).

Workers thus actively pursue a more autonomous and flexible working environment, that allows them to be free from organizational control over their work. The choice to pursue alternative, non-standard forms of work, is thus presented as a conscious choice, rather than a necessity that derives from the changed conditions. Again, Guest adequately captures this thought:

*“The key point is that they seek rather than avoid flexible employment contracts and negotiate contracts that serve them first and the organization second”* (Guest, 2004:2).

Importantly, this position follows from a perspective on freedom that is fundamentally different from Honneth’s conception (inspired by Hegel’s freedom through recognition). Rather than experiencing freedom *through* recognition of other individuals and institutions, workers obtain freedom *from* employer oppression by pursuing more flexible working arrangements.

### 3.6 Conclusion

The work of Honneth on the concept of organized self-realization provides a normative framework for the evaluation of platform work in the 21<sup>st</sup> century. Departing from the idea that individualism in itself is a virtuous concept, he argues that individualism in contemporary society goes beyond its initial purpose of enhancing individual autonomy. The retraction of the state following the neoliberal revolution has had an ambivalent effect: on the one hand, it enabled the emergence of a new ‘story’ of capitalism, where self-realization has become an ideal, while on the other hand, it led to the absence of the right material conditions for realizing such claims. This misrecognition of individual autonomy is exactly what, in Honneth’s theoretical framework, prevents one to realize one’s self-chosen life-goals, since it detracts from the positive self-image that is a necessary precondition thereto. Other authors emphasize the conscious choice of workers to pursue more flexible working arrangements, motivated by a sense of discontent with the rigidity of standard employment arrangements.

## 4. Applying the normative framework: normative paradoxes of work in platformisation

### 4.1 Introduction

The new forms of employment that emerged in recent decades, which include platform work and other non-standard forms of work, have been met with enthusiasm by some and cynicism by others. Some felt enthusiasm for the ability of these non-standard labor arrangements to increase worker autonomy and flexibility, leading to a ‘free agent nation’ where individuals are liberated from ancient repressive work structures that hinder the self-promotion of workers (Guest, 2004; Knell, 2000; Peters, 1999). The description on the back cover of Pink’s ‘Free Agent Nation: The Future of Working for Yourself’, adequately captures this thought:

*“It’s about fulfillment. A revolution is sweeping America. On its front lines are people fed up with unfulfilling jobs, dysfunctional workplaces, and dead-end careers. Meet today’s new economic icon: the free agent-men and women who are working for themselves. And meet your future.”*  
(Pink, 2002).

As this fourth chapter illustrates, the idea of freedom from subjugation and bureaucratic forces often surfaces in recruitment campaigns of digital platforms. DPD UK, for instance, tries to generate interest for the position of self-employed parcel deliverer by labelling it as an ‘Owner Driver Franchise’ on their website, which delivers *“flexibility for you to choose the days that fit your lifestyle”*.

Observers on the other end of the spectrum often refer to the new forms of work in more negative formulations, by focusing on effects of increased precarization and the shift of risks and responsibilities from employers to employees (Schor et al, 2020; Rosenblat, 2018; Rosenblat & Stark, 2016; Lee et al, 2015). The second chapter of this thesis already outlined the sometimes dreadful conditions under which platform work is performed (section 2.4). Wages, for instance, appear to be sub-average on aggregate and working conditions often appear challenging. This leads critics to point out that platformisation effectively corrodes the collective interests of workers and results in increased inequality, uncertainty and poverty. They argue that the promises of platforms such as that of DPD UK attempt to disguise the fact that the material conditions of platform work prevent the realization of values of autonomy and flexibility as projected by the ideal of the ‘free agent nation’.

The aim of this chapter is to verify, by employing Honneth’s process of normative reconstruction, whether platformisation contributes to the realization of contemporary ideals of work or whether the emergence of digital platforms amounts to a normative paradox (as described in section 3.3). Put simply, it asks the question: is platformisation part of the problem, or is it the solution?

To that end, it follows the structure of Honneth’s method of normative reconstruction. The first stage refers to the uncovering of current institutional values governing work. Sections 3.4 (Honneth) and 3.5 (other authors) already perform this task on a general level. The discussion in section 4.2 applies this task to the development of platformisation specifically. Here, the task is to expose the promises that the digital platform business-model makes with regard to the realization of these institutional values. The second methodological stage (section 4.3) entails the identification of the institutional elements that *prevent* the realization of the values that they reflect or produce. In concrete terms, this entails a comparison of the actual working conditions of gig workers to the contemporary ideals and values governing work.

#### 4.2 The 'platform promise' of flexibility and autonomy

The starting point of Honneth's method of normative reconstruction, as outlined in section 3.3, is that social reproduction hinges on a set of shared norms (relating to the fundamental notions of freedom, autonomy and self-realization), that derive from existing social structures. This means that, when researching the subject of work, one can derive from current institutions the shared norms that exist in society with regard to work. When applied to platformisation, the process of normative reconstruction requires one to assess whether the development of platformisation contributes to the realization of the ideals that belong to the worker in a post-disciplinary society. First of all, regardless of the driving forces behind the demand for a working environment that respects the values of autonomy and flexibility, it can be established that the recent decades are marked by this new ideal of a worker who is in control of his own career path and can correspondingly shape his working environment that fits this path. One would say, then, that the platform model is the ultimate device to realize such ideals. The business-model of the digital platform is built on the promise of practically borderless flexibility. Since workers essentially function as self-employed entrepreneurs that fulfil the function of independent service supplier to users on the other side of the platform, they possess full control over the conditions of work, such as the number of working hours, working time schedules and the type of work they want to perform. Moreover, since a platform (in theory) merely facilitates a transaction between demand and supply, the platform worker is free to choose the customers (s)he serves. This also implies that platform workers are able to offer services across a variety of platforms, further increasing their freedom to shape the material working circumstances.

The promises of a flexible workspace with high levels of worker autonomy also surface in practice. The introduction of this chapter already mentioned the 'Owner Driver Franchise' (ODF) at DPD UK as a prominent example of self-employed courier work. On their website, DPD UK describes the function as follows:

*"If you're looking for a full time owner operator business opportunity with low start up costs, then the Owner Driver Franchise (ODF) is for you. As an ODF, you'll provide collection and delivery services to DPD typically over five days per week, with flexibility for you to choose the days that fit your lifestyle. We operate seven days a week, which means there's opportunities for you to increase your earnings further."*

The parcel deliverers are not only promised flexibility, but also high earnings. Within three years, they can earn a turnover of as much as £170,000, which is, according to DPD UK, *"dependant on you delivering fantastic collection and delivery service but totally achievable"*. Drivers have the freedom to take on additional routes, which enables them to earn more. Furthermore, on the website of DPD UK, existing drivers report positively about their increased work autonomy and flexibility, as shows from the quotes: *"I'm my own boss, I love the freedom of being on the road"* and *"I now have a much better work/home life balance"*.

A similar message can be identified on the website of Amazon Flex, Amazon's version of the self-employed courier platform service. The recruitment slogan for Amazon Flex contains a clear promise of self-realization: *"No matter what your goal is, Amazon Flex helps you get there."* Also, the ideal of flexibility clearly appears as one of the promises made to future Amazon Flex couriers:

*“We know how valuable your time is. With Amazon Flex, you work only when you want to. You can plan your week by reserving blocks in advance or picking them each day based on your availability. Choose the blocks that fit your schedule, then get back to living your life.”*

#### *4.3 Reconstructing the platform promise: how platforms deny workers flexibility and autonomy*

Having illustrated how digital platforms promote the values of flexibility and autonomy as contemporary labor ideals, the central task that the method of normative reconstruction defines is to outline which elements of the platform model *prevent* the realization of the ideals that it promises in theory. A precondition for the materialisation of such promises is that platforms indeed respect the independent position of platform workers. Here, the platform model contains an important characteristic that constrains the independence of platform workers. The fact that platform workers are self-employed and thus qualify, legally and economically, as businesses, means that each worker enters a contractual relationship with the platform based on equality. However, the position of individual workers vis-à-vis digital platforms is often unequal, especially if there is a high supply of labor. This disbalance in economic power enables digital platforms to control and modify the terms and conditions under which platform work is performed. The second chapter already mentioned Uber, that centrally determines the prices for rides through its' surge pricing algorithm (Chen & Sheldon, 2015). The platform business-model has, furthermore, been criticized as a real-world testing ground for so-called 'algorithmic management' of platform workers. This algorithmic management has been described as *“a diverse set of technological tools and techniques to remotely manage workforces, relying on data collection and surveillance of workers to enable automated or semi-automated decision-making”* (Mateescu & Nguyen, 2019: 3). The systems are designed to collect data from workers and monitor their performance (either by the system itself or via user rating systems) and either nudge them to increase efficiency or punish the failure to meet targets (Mateescu & Nguyen, 2019). Such systems have been directly criticized for their reduction of the voluntary and flexible nature of platform work: *“Algorithmic systems can use a variety of methods to structure “and control worker behavior, even when the platforms hosting those systems are billed as “flexible” or voluntary”* (Mateescu & Nguyen, 2019: 13). The result of such systems is that workers experience speed and efficiency pressures, since these systems often do not account for unforeseen circumstances. In addition, digital platform tend to abuse their position of strength vis-à-vis the worker by not providing transparency with regard to the fundamental conditions of the work, such as the determination of payments or working schedules. Finally, some platforms have strict rules for missing or not performing assigned work, which can result in high penalty payments or exclusion from the platform. As the paragraphs illustrates for the case of courier platforms, platforms are usually unrelenting in their application of such rules, which has even had fatal consequences.

These examples illustrate how the powerful bargaining position of these platforms vis-à-vis individual workers enables the reduction of the flexibility and autonomy that platform workers experience and force platform workers into a straightjacket of hyperproductivity. A normative paradox thus emerges: while digital platforms promise an environment of flexibility and independence, they influence material working condition in such a way as to prevent the realization of these ideals. The available empirical evidence on the material circumstances of platform work, outlined in the second chapter of this thesis, confirms the existence of this normative paradox. The discussion lays bare various elements of platform work that in practice deny many platform workers the realization of the promise of flexibility and autonomy that the platform model contains. As discussed there, platform workers on

average earn less than workers in standard working positions. Moreover, they work longer hours, resulting in less time to spend with family, they face unstable demand and suffer more health issues. Finally, although not directly caused by platforms, the limited and in some instances non-existent social protection of platform workers strikingly illustrates the absence of the appropriate material conditions for realizing the true ideal of the flexible, autonomous 21<sup>st</sup> century worker.

The discrepancy between espoused values and material working conditions likewise appears in the platform examples of DPD and Amazon Flex. In recent years, the Owner Driver Franchise working position at DPD UK has not been spared of controversy. In 2017, UK MP Frank Field published a report revealing the dreadful working conditions of DPD UK parcel couriers (Field, 2017). Drivers allegedly earned hourly wages as low as £2.50, faced threatening and hostile working environments and faced charges of £150 when they missed a shift due to illness and were unable to find a replacement driver. Following the report, the Guardian interviewed parcel drivers, who feel exploited and undervalued:

*“While profits soar, we as drivers get exploited, underpaid and taken for granted.”*

*“Conditions of employment are precarious to say the least. The communication received from DPD always has a threatening edge to it as they know people worry about their jobs.”*

*“If you work at the same depot every day, wear a DPD uniform, drive a DPD van, get given a DPD scanner, are told by DPD management what parcels to deliver at what rate, don’t work for anyone else, you legally should be protected by the government as being employed.”*

*“This isn’t self-employment, or employment either. It’s a living hell, a nightmare scenario and the government needs to bring in legislation to stop these crooks from ripping off vulnerable people.”*  
(Davies & Butler, 2017).

When in January 2018 a DPD courier died as a result of missing hospital appointments for diabetes – reportedly because he had become terrified of taking time off – DPD removed the £150 fine clause from the contracts with couriers and offered all couriers the option to enter a position as employee at DPD (Booth, 2018). This example confirms the conclusion of the previous section that platforms, in absence of government interference, are able to exploit the weaker position of workers.

Amazon Flex has likewise been the subject of sharp criticism. Reportedly, it is not uncommon for Flex couriers to drive more than 11 hours consecutively (which is against UK laws), net earnings that can fall below minimum wage levels and fines for missing targets (Del Valle, 2018). Furthermore, the previously discussed algorithmic management devices are, according to a former driver, designed to force couriers to drive quickly, which inevitable results in hazardous situations and potential damages consequentially – the repairs of which the self-employed couriers have to pay themselves.

In addition, Amazon has admitted to covert surveillance of its Flex couriers’ online activities. It employed staff to monitor private Facebook groups and public forums, which have to report on discussions regarding the working conditions of Flex couriers. News website The Verge reports as follows:

*“Amazon also appears to be keeping tabs on more sensitive discussions. Those compiling the reports are instructed to note the apparent sentiment of posts and to look for Flex workers sharing news stories where “Warehouse employees [are] complaining about the poor working condition” or that discuss “planning for any strike or protest against Amazon.”* (Vincent, 2020)

By now, it should be clear that the point of this section is that the platform model in itself appears incapable of delivering on the promises that it makes regarding work, since digital platforms, by abusing their position of economic strength vis-à-vis platform workers, are able to create material working conditions that qualify as ‘a form of modern slavery’ (Fox, 2019). The model thus misrecognizes the skewed distribution of economic power between the worker and the platform, providing platforms a *carte blanche* to exploit this position of relative weakness of the worker. Tying together the elements discussed in this section, one could say that the development of platformisation constitutes a normative paradox, in the sense that the material conditions for realizing the ideal of the truly autonomous and highly flexible platform worker that digital platforms espouse are absent.

#### 4.4 Conclusion

The aim of this chapter has been to apply Honneth’s method of normative reconstruction to platform work and verify whether it produces a normative paradox. The analysis provided confirms this idea. While the platform model, both in theory and practice, contains the promise of a flexible and autonomous working environment, the material conditions that platform workers generally experience reflect the opposite. Absent regulatory intervention, a topic that is subject of the next (final) chapter, platforms are able to exploit their position of economic strength vis-à-vis individual platform workers. Such abuse materializes, for instance, in the deployment of algorithmic management software, through which platforms can monitor, pressurize and punish platform workers. In violation of the promise of freedom and independence, platforms are able to impose disproportionate sanctions on the failure of platform workers to realize contractual targets. These examples illustrate that the platform model does not deliver on its self-imposed standards of flexibility and autonomy in the working environment of platform workers. In light of Honneth’s theory of organized self-realization, as outlined in chapter three, one could classify these promises as merely ideological, in the sense that their function is to foster productivity growth and uphold existing power structures (see section 3.4). Honneth himself seems to agree with such a qualification, as he points to the inability of workers to realize the ideals of flexibility and autonomy in their work:

*“The new manner of addressing employees and qualified workers as entrepreneurs of their own labor power might contain an evaluative promise of recognizing a higher degree of individuality and initiative, but it in no way ensures the institutional measures that would allow a consistent realization of these new values. Instead, employees are compelled to feign initiative, flexibility, and talents in places where there are no roots for such values.”* (Honneth, 2007: 346).

## 5. Discussion and conclusion: addressing the normative paradoxes of platform work

### 5.1 Policy directions for 'improving' platform work

The research objective of this thesis is to assess to which extent the organizational model of the digital platform enables the realization of contemporary labor ideals of autonomy and flexibility. Chapter two outlined current working conditions of platform workers, while chapters three and four focused on the conceptual formulation and identification of normative paradoxes of (platform) work. This discussion revealed normative paradoxes of platform work. While digital platforms promise an environment that fully enables the attainment of such values, certain material circumstances under which platform work is performed actually *prevent* the realization of these contemporary labor ideals. Notably, these circumstances include excessive contractual conditions, such as the penalty payments for missing work as well as inordinate platform control over working conditions ('algorithmic management') and terms of the transaction. The previous chapters thus reveal that certain elements of platformisation prevent the realization of contemporary labor ideals of flexibility and autonomy. The final component of this thesis entails the identification of policy directions that address these normative paradoxes of platform work. Within the framework of normative reconstruction, such solutions must meet two conditions: (i) they must ensure that workers can realize contemporary labor ideals of flexibility and autonomy, and (ii) address the elements that currently prevent the realization of such ideals.

This fifth, conclusive chapter focuses on three issues: (i) the ability of platform workers to self-organize, (ii) the legal definitions of (platform) work in labor law and (iii) challenges and possibilities within competition rules to address the power disbalance between individual workers and digital platforms. Each of these subjects has the potential to address the normative paradoxes of platform work. For the purposes of this thesis, the notion of 'addressing the normative paradox of work' deviates from Honneth's own envisaged solutions. Here, addressing the normative paradox requires an improvement of the conditions of platform work *while simultaneously* allowing the realization of claims to flexibility and autonomy (leaving the 'platform promise' intact). Honneth does not impose the latter as a condition for devising solutions to the normative misdevelopments of work. Upon being requested to provide suggestions to overcome the normative paradox of platform work, he responds:

*"Given present conditions, a realistic perspective would be, first, to reinstate some of the regulations already established in former periods, including some right of co-determination by workers, firm, and satisfying labor contracts that overrule flexible occupations and fixed-term contracts, certain accomplishments with respect to what was called within the trade-union movement the "humanization of work" (Curty, 2020: 1344-45, emphasis added).*

Rather than to prefer solutions that respect the flexibility and autonomy of platform work, Honneth thus suggests to search for existing measures that 'overrule' flexible occupations. As this chapter points out, however, it is not impossible to devise solutions that leave the promise of flexibility and autonomy, for which there apparently is a demand among contemporary workers, intact. However, this requires some specific, conscious amendments of both 'hard law' and 'softer' policy guidelines steering the public debate. At the outset, it should be noted that the discussion provided does not aim to provide exhaustive overviews of each policy field, but merely aims to give specific directions that could contribute to the proper functioning of the platform model. Emphasis should be added to the term 'directions', since the discussion serves the aim of stimulating debate rather than providing off-the-shelf solutions. Finally, to avoid doubt, it is noted that this chapter adheres to European models of labor and competition law.

### *5.2 Fixing the platform model: fostering platform worker representation and organization*

An entirely separate strand of literature exists on the role of old and new forms of organization and representation in reinforcing the precarious position of non-standard workers (Lenaerts, Kilhoffer & Akgüc, 2018; Vandaele, 2018; Benassi & Vlandas, 2016). The aim of this section is to highlight some key insights on the developments in this field.

Organization and representation has played a role in the protection of precarious workers from the second industrial revolution onwards (Lenaerts, Kilhoffer & Akgüc, 2018). Although the organizational form of social partners (or 'unions') is increasingly labelled as an 'old form of organization', it has been and still is the primary mode of worker representation. The emergence of non-standard forms of work has, however, decreased the role of unions in protecting workers from precarity (Visser, 2011). Two reasons for this diminished role can be identified in the literature: (i) the qualification of platform workers as solo self-employed is generally incompatible with union membership (Vandaele, 2018) and digital platforms are, likewise, generally not viewed as employers (Lenaerts, Kilhoffer & Akgüc, 2018) and (ii) there are all kinds of new 'networked' forms of organization, such as grassroots movements and digital counter movements (e.g. Turkopticon), that render the organizational form of the union outdated.

At the same time, the emergence of non-standard work and of platform work in particular renders the issue of worker organization and representation more important than ever. As the previous chapters have illustrated, the platform model produces an unbalanced distribution of economic power in favour of digital platforms, which enables them to create the precarious working conditions that have been discussed. The ability of platform workers to self-organize is an obvious and potentially effective way to reduce this power disbalance. Important functions that trade unions generally fulfil are the protection of worker rights, ensuring access to social protection, sharing information and coordinating the process of collective bargaining. For platform workers, unions can perform these functions as well, with the exception of collective bargaining, which is (currently) prohibited for solo self-employed persons through cartel law (see section 5.4 below). While at first, unions were generally not very open to representing non-standard workers, there now seems to be a gradual shift towards a new 'union inclusiveness' (Benassi & Vlandas, 2016; Vandaele, 2020; Lenaerts, Kilhoffer & Akgüc, 2018).

While the unionization of platform work can help to improve the precarious position of workers, it might at the same time encompass a (partial) reversal of the platform promise of flexibility and autonomy. As the next section outlines, this process of unionization coincides with legal action of platform workers claiming the status of employees. This qualification of platform workers as employees does not provide the solution to the normative paradox of platform work, since it removes the promise to platform workers of flexibility and autonomy. In order to address the normative promise of platform work, unionization of platform work must thus respect the independent and autonomous position of platform workers.

### *5.3 Labor law: moving beyond the dichotomy of the self-employed and the employee*

The precarious position of platform workers has been discussed extensively in the literature on labor law (De Stefano & Aloisi, 2018; Ichino, 2018; Gyulavari, 2020). It is by now common understanding that labor laws – at least initially – were ill-prepared for the arrival of digital platforms. This comes to no surprise, as most labor laws have been established throughout the 20<sup>th</sup> century, far before the contemporary forms of non-standard work started to emerge (Lewis, 1976). Central to these labor

laws is the definition of employee. Although the requirements vary per legal system, workers generally qualify as employee when they work under the subordination of someone and receive remuneration in return for the work performed (*cf.* European Court of Justice, *Lawrie Blum*). If workers meet such requirements, they gain extensive legal rights, such as a minimum wage, sick leave and compulsory pension contributions, as well as protection against, for instance, unwanted dismissal or discrimination.

The first chapter already indicated that platform workers generally perform work in a solo self-employed capacity (section 1.2), which – in labor law – automatically excludes the possibility of qualifying these workers as an employee. The second and notably the fourth chapter of this thesis have, on the other hand, illustrated that the employment relationships on some digital platforms more resemble that of an employee than that of a solo self-employed. This has led workers active on various digital platforms to start legal disputes, enforcing their legal status as employee before courts (Di Amato, 2016). A striking example is the recent discussion of the legal status of Uber drivers in California. Following lawsuits of Uber and Lyft drivers challenging their classification as solo self-employed, a California appeals court ruled that the employment situation of these drivers indeed more resembles that of employees (Bond, 2020). Similar judgments have been handed down in other countries, such as the UK and France. In other cases, claims of platform workers to an employee-status were denied. A prime example is the order in *Yodel* of the European Court of Justice. It ruled that a parcel delivery courier active on the Yodel platform does not qualify as an employee, since Yodel exercises only limited influence on the working conditions of these couriers (Jacobsen Cesko, 2020).

The different outcomes of these legal disputes prove that the employment conditions on digital platforms vary greatly. However, it also illustrates the polarised nature of the current legal spectrum: platform workers either qualify as solo self-employed or as employee. This dichotomy of self-employment and employment misrecognizes the fact that most employment circumstances of platform work are somewhere in between both categories. The fourth chapter already illustrated that the move away from the standard employment relationship and towards more flexible working arrangements reflects a changing norm in society. Thus, as said, the qualification of platform workers as employees does not provide the solution, since it inevitably removes the promise to platform workers of flexibility and autonomy.

In response, there have been several policy initiatives that aim to address this issue. First, some European member states, such as the UK and Spain, have supplemented the opposing categories of solo self-employed and employee, by embedding an intermediate category in their legal systems (Laagland & Kloostra, 2019). Another suggestion has been to renew the legal definitions of the concepts of worker and employer (Prassl & Risak, 2016), in order to ensure that these concepts also capture the looser labor relationships of platform work and other forms of non-standard work. On the European level, members of the European Parliament are developing proposals for a Directive on Platform Work, which aims to reframe and harmonize employment regulations throughout the EU to provide better protection for platform workers.

In summary, such obligations must respect platform worker claims to flexibility and autonomy and simultaneously ensure that platforms contribute their fair share. This ‘fair share’, moreover, depends highly on the way in which digital platforms position themselves vis-à-vis platform workers and notably the degree of control that platforms exercise on the conditions under which platform interactions take

place. Arguably, the success of new policy initiatives in the field of labor law depends on the extent to which they take this feature into account.

#### *5.4 Competition law: extending the scope of protection to platform workers*

Another policy domain that creates both challenges and opportunities for addressing the normative paradoxes of platform work is competition law. Although competition laws typically serve the goal of protecting consumers from misbehaviour of undertakings (Jones & Sufrin, 2019), there is increasing attention for the protection of dependent suppliers, especially on digital platforms, within this field. This is illustrated by recent decisions of the European Commission to start formal procedures against Apple and Amazon for abusing their dual position as a platform-service supplier to third parties and a seller of their proprietary, directly competing services on that same platform. The alleged abuse consists of the so-called practice of ‘self-preferencing’, where these platforms use their control over the platform to favour their own services at the expense of competing services offered by third-party suppliers on the platform (Colomo, 2020). This is detrimental for those third-party suppliers, which depend on Apple and Amazon for setting the terms and conditions for access to the platform. These and other practices that corrode the position of platform suppliers can be addressed through the application of two classic tools of competition law, which are the cartel prohibition and the prohibition of abuse of a dominant position. The subsequent paragraphs discuss the potential for these instruments to address the normative paradox of platform work.

##### *5.4.1 The cartel prohibition*

The cartel prohibition prohibits undertakings from making collective agreements that distort competition on markets and, as a result, consumer welfare. Classic examples are cartels that tacitly agree to raise prices, either directly or by restricting supply of their products or services. Since platform workers normally qualify as solo self-employed and thus as undertakings, the cartel prohibition prohibits platform workers to conclude agreements on minimum wage and working conditions (i.e. collective bargaining), since this amounts to a cartel agreement that essentially ‘fixes the price’. Exceptions to the cartel prohibition are, furthermore, interpreted restrictively by competition authorities, resulting in very limited possibilities for platform workers to escape this prohibition (Van der Heul, 2020).

The cartel prohibition thus forms an obstacle to the improvement of platform working conditions. Arguably, platform workers have sought the route of qualification as employee, rather than relying on exceptions to the cartel prohibition, due to the strict interpretation of latter prohibition. Since that path, as said, deprives the platform model of its promise of flexibility and autonomy, it might be preferable to explore possibilities of relaxing the cartel prohibition for platform workers specifically. A more lenient exemption of platform workers from cartel prohibition would enable them to make agreements on minimum prices. This allows a process of collective bargaining that not only directly improves working conditions, but simultaneously acts as a countervailing (seller) power against the position of economic strength that platforms possess vis-à-vis individual workers. Most importantly, it meets the precondition formulated in the introduction of this chapter of respecting the promise inherent to platform work of allowing the realization of contemporary labor ideals of flexibility and autonomy.

#### 5.4.2 Abuse of dominance

The second legal instrument discussed here is the prohibition to abuse a position of dominance. It is designed to prevent undertakings with a position of relative economic strength (hence ‘dominance’) to abuse this position vis-à-vis competitors or consumers. Examples of such abuse are the unilateral increase of prices, reduction of supply and the systematic exclusion of (potential) competitors from the market. In relation to digital platforms, the introduction of this section already mentioned practices of self-preferencing (Apple and Amazon), which are likewise dealt with under this prohibition. These and other examples reveal the potential of this prohibition to address the dependent position of suppliers on digital platforms. However, for this prohibition to apply, such forms of abuse must (either directly or indirectly) harm consumers. This is a constraining condition, since it is not always clear how abusive practices impact consumer welfare. Consider for instance the ‘algorithmic management practices’, discussed in section 4.4 of this thesis. While the position of relative power of the platform vis-à-vis the worker enables the platform to implement these obtrusive practices, the application of the prohibition to abuse a position of dominance would be difficult, since there is no clear link between these practices and possible consumer harm.

Extending this provision to the relation between suppliers and platforms is, however, not inconceivable and could draw on existing practices. Some member states (Germany, France and, recently, Belgium) have independently decided to extend this European prohibition to relations of economic dependence in their national legal systems (Van der Heul & Arnold, 2020). These provisions were originally intended to address the dependent position of small suppliers to large buying undertakings (e.g. farmers who sell their produce to large supermarkets). By removing the requirement of consumer protection, they also provide opportunities to support the precarious position of platform workers. It allows platform workers to challenge unfair working conditions imposed by platforms. Competition authorities, moreover, could rely on such a provision to conduct market-wide investigations with an emphasis on working conditions (similar to e.g. the recent investigation of the Dutch competition authority into mobile app stores).

Currently, the European Commission is preparing a legislative proposal (the ‘Digital Services Act’) that aims to address the ‘gatekeeper function’ of large digital platforms. The aim of this proposal is to secure fair terms and conditions for platform suppliers, which should be enforceable ‘ex-ante’, i.e. before-the-matter (rather than ex-post, as the existing prohibition on abuse of dominance prescribes). This legislative proposal is an opportunity to empower platform workers by enforcing their rights vis-à-vis their platform counterparts. However, this would mean that this act should be drafted not only to protect consumer welfare – which is still the main focus of competition law – but also to specifically include the separate and explicit protection of platform workers as one of its distinct aims.

#### 5.5 Conclusion

This fifth and final chapter has discussed policy directions in the fields of worker organization and representation, labor law and competition law. For each, the aim has been to highlight directions that address normative paradoxes of platform work, where possible drawing inspiration from existing initiatives. The discussion shows that developments in labor and competition law are *complementary* rather than *conflicting*. Although the creation of intermediate employment categories ensures a better connection of the legal landscape with the reality of platform work, it will never be a perfect reflection given the highly heterogeneous nature of platform work. In situations where such intermediate

categories cannot provide the desired combination of flexibility and labor protection, competition rules can provide added protection. Existing competition rules already allow for the compensation of a position of economic strength of large undertakings vis-à-vis dependent suppliers, but the scope of application is limited due to the stark focus on consumer protection.

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