

Should We #deleteUber?

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Abstract

Since Uber's founding in 2009, individuals associated with Uber have engaged in (or been accused of engaging in) numerous categories of corporate malfeasance: failure to protect data privacy, theft of trade secrets, sexual misconduct (including sexual assault and sexual harassment), lack of worker safety, lack of consumer safety, and racial discrimination. Thus, Uber is a good test case for the question of whether corporate behavior can provide moral justification for a boycott. More specifically, an examination of the 2017 #deleteUber controversy will invite the reader to consider questions such as the following: When is a personal boycott morally justified, and when (if ever) is a personal boycott morally obligatory? How are personal boycotts related to larger-scale organized boycotts? What are the factors that make an organized boycott morally justified (or unjustified)? Is there a sound argument for the conclusion that we should #deleteUber?

Learning Outcomes

By the end of this case study, students should be able to:

- demonstrate familiarity with the troubles that Uber has experienced, both externally and internally;
- present and evaluate the argument for a personal boycott of Uber;
- judge the extent to which the argument for a personal boycott of Uber, if sound, generalizes to support an organized boycott of Uber; and
- reflect on the broader moral and economic issues that Uber raises: issues involving business models, employment practices, regulation, and the sharing economy.

Introduction: The #deleteUber Controversy

On Jan 28, 2017, the #deleteUber hashtag started trending on Twitter. Although the trend was relatively short-lived, by the beginning of February it had apparently caused over 200,000 users to delete the app from their phones (Isaac, 2017a). In March, a survey found that negative news coverage in the preceding weeks had sharply increased negative perceptions of Uber; and a majority of those who had stopped using Uber in the previous six months cited the negative press as the reason (Richter, 2017).

Although the initial #deleteUber tweets were posted in response to Uber CEO (and founder) Travis Kalanick's defense of his December decision to join President Trump's economic advisory council (Flynn, 2017), the trend picked up steam in the aftermath of an executive order from Trump, which restricted immigration from seven predominantly Muslim countries (Shear & Cooper, 2017). As a protest against the executive order, the New York Taxi Workers Alliance [called for a one-hour ban](#) on picking up riders at JFK airport, and they asked Uber drivers to join the ban. Uber did not join the protest, instead continuing to operate at JFK (although they did turn off surge pricing so as not to profit from the ban).¹ For some, the decision by Uber leadership not to protest the executive order was enough to justify joining the #deleteUber boycott. (Others, of course, were in support of the executive order and thus did not see any reason to protest it.)

Some of the observers who were opposed to the executive order expected it to prompt Kalanick to rethink his role on Trump's economic advisory council. Kalanick did say, through a spokesperson, that he would raise the issue at the next council meeting, but he also said that he was not considering stepping down. Some of these observers were also looking for Uber to make a forceful public statement renouncing the executive order (as numerous other Silicon Valley companies were doing), but apart from a statement about the intentions of Uber leadership to compensate drivers who were stranded overseas, there was little official opposition from Uber.

¹ Among those who wanted Uber to participate in the work stoppage, there is some disagreement over whether the decision to turn off surge pricing mitigated or exacerbated Uber's lack of participation. Some viewed it as a mitigating factor: Uber decided not to participate in the strike, but they didn't want to extract higher fares than usual from the situation. Others viewed it as an exacerbating factor: Not only did Uber decide not to participate in the strike, but they turned off surge pricing as a way of making it less costly for riders to avoid the strike! Both explanations fit the data, but it seems to me that the "mitigating factor" explanation is the more likely one.

For the purposes of this case study, it is not necessary to take a stand on Trump's executive order; in fact, it will be better to remain neutral on the relevant political questions. We can, however observe that a prior conception of Uber as pro-Trump, together with the choice not to participate in the taxi workers' strike and a lackluster public response by Kalanick to the executive order, appear to have combined to produce enough anti-Uber sentiment that #deleteUber took off.

The #deleteUber controversy raises several interesting moral questions. For example: How should company leadership respond to volatile political situations such as the one described above? But this is far from the only controversy that Uber has been involved in, so the #deleteUber phenomenon also invites us to consider questions about the ethics of boycotts. When is a personal boycott morally justified, and when (if ever) is a personal boycott morally obligatory? How are personal boycotts related to larger-scale organized boycotts? What are the factors that make an organized boycott morally justified (or unjustified)? All things considered, would it be better to #deleteUber?²

In order to bring some clarity to these questions, we will begin by looking at some of the concerns about Uber that have been raised in recent years. These range from broad macro-level issues, such as the practice of classifying Uber drivers as independent contractors, to more specific concerns about the culture of the company and the behavior of its executives. As we will see, though, it is difficult to specify in general terms how facts about morally problematic corporate behavior generate a personal moral prohibition on making use of the products or services of that corporation—and even more difficult to see how such facts might generate a moral obligation to engage in or organize a large-scale boycott. Is there a sound argument for the conclusion that consumers ought not use Uber? And if there is such an argument, does it generalize, such that an organized boycott is or would be justified? These are some of the issues that we will be addressing in this case study.

Complaints About Uber

We will begin by considering some of the broader, macro-level concerns that have been raised about Uber. In considering these concerns, we are not assuming that all of them are

² As we will see, the response to Trump's executive order from Uber leadership is probably not the main reason (if any such reasons exist) to boycott Uber.

valid; they might all be valid, but some (or even all) of them might not be. Rather, we are raising them for the purpose of asking whether, *if they are* valid, they give us reason to boycott Uber. These broader concerns apply to the business model of the company, and thus would be relevant even if there were no specific complaints about its culture, its employees, or its drivers. There have, however, been quite a few specific complaints as well, as we will see below. Once we have a sense of the various complaints that have been lodged against Uber, we will be in a better position to ask whether they can be combined with some normative principles to support a personal boycott, or even an organized boycott, of Uber.

General Concerns

Although Uber has generated quite a bit of value for consumers, drivers, and the economy in general,³ this added value has come from a business model that some people have argued is unjust.⁴ The major complaint revolves around Uber employment practices, and in particular the fact that none of their drivers are full-time employees. Instead, their drivers are classified as independent contractors, which means that they do not receive benefits such as overtime, sick leave, health insurance, or retirement plans.⁵ There have been some legislative attempts to force Uber's hand (for example, a classification law in California⁶ and a driver-specific minimum wage law in New York), but some predict that these legislative efforts will have a negative impact on Uber drivers who only drive part-time, and on other groups as well (Pofeldt, 2019).

Even if we set aside the classification issue, however, many have raised concerns about driver wages. For example, Uber has a history of lowering their fares in response to decreases

³ The taxicab industry, of course, has suffered as a result of the growth of Uber—but according to a recent study, the loss to individual taxi drivers has only amounted to a roughly 10% decrease in hourly earnings. Such a decrease is significant, but arguably not devastating; and those losses have been more than offset by the dramatic increase in earnings among self-employed drivers. (Berger, Chen, & Frey, 2018) More than two million people are now driving for Uber (Camp, 2017), many of whom do so part-time as a supplement to some other source of income.

⁴ Setting aside the moral issues, some have argued that the business model is simply unsustainable—in part because it's not clear how the company will ever make a profit. We will focus on the moral issues here, but see (Conger, 2019a) for a recent summary of concerns about Uber's economic prospects and (Sherman, 2019) for an examination of Uber's prospects for profitability.

⁵ This classification practice resulted in a class-action lawsuit, which was settled in March 2019 after Uber agreed to pay \$20 million to the drivers in the class. (For more details on this lawsuit, including the importance of Uber's controversial mandatory arbitration agreements, see (Bhuiyan, 2019).) Dissatisfaction with Uber's employment practices continues, however, and came to a head when drivers staged a worldwide strike prior to Uber's May 2019 IPO.

⁶ See (Conger, 2019b) for a description of efforts that Uber, Lyft, and DoorDash undertook to fight the California legislation; see (Conger & Scheiber, 2019a) for a recap of the events leading up to the approval of the bill.

in rider demand (Newcomer, 2016). These price cuts are ostensibly done in order to increase demand, but the end result is often less income for drivers. Some drivers have been sufficiently affected by these changes that they have started ‘longhauling’ (i.e., driving a route that takes roughly the same time, but covers more miles, than the most direct route) in order to offset the decrease in earnings (Bensinger, 2018a).⁷

Uber has also been criticized, albeit from more of a strategic perspective rather than a moral perspective, for its “ask for forgiveness instead of permission” approach to regulation. Its exponential growth has been due in part to its ability to exploit regulatory loopholes, and move faster than regulators can in response, but this has also been detrimental to its core business in places like London, in which transport officials decided in 2017 that they would not renew Uber’s license (“Uber, Facebook, and regulation,” 2017).

Finally, one additional macro-level concern that has been raised about Uber (and other ride sharing companies) is that they are making traffic and overall congestion worse in large cities. Both Uber itself (Kalanick, 2016) and some academics (e.g., Sundararajan, 2016) have claimed that the proliferation of ride share services will reduce congestion—a claim that has some intuitive plausibility—but a recent study suggests that the growth of ride sharing services has actually produced *more* traffic. The report finds that the proliferation of ride share services has resulted in significantly more overall miles driven in spite of the reduction in driving miles from personal cars.⁸ This concern is not as serious as those involving employment practices, but it does undercut what was supposed to be one of the economic and societal goods brought about by Uber and its competitors.

Each of these general concerns is worthy of debate in its own right, and it is beyond the scope of this case study to render a final judgment on any of them. Nevertheless, they are worth considering because they provide an accurate representation of the general complaints that have been leveled at Uber.

⁷ The fundamental problem surrounding driver earnings is that it’s basically impossible for Uber to generate a long-term increase (or decrease) in driver earnings. This difficulty primarily stems from the ease with which both riders and drivers can enter and exit the system. When fares are lowered, drivers earn less per ride but can offer more rides due to increased demand. When fares are raised, additional drivers sign up to drive while demand decreases. The upshot is that, even when there are changes in fare price, driver earnings tend to return to roughly the same equilibrium point. (Bensinger, 2017)

⁸ The study (Schaller, 2018) found that “Shared ride services such as UberPOOL, Uber Express POOL and Lyft Shared Rides, while touted as reducing traffic, in fact add mileage to city streets. Even with these shared services, TNCs [Transportation Network Companies] put 2.6 new TNC vehicle miles on the road for each mile of personal driving removed, for an overall 160 percent increase in driving on city streets.”

Specific Incidents

Unfortunately, these general complaints are not the only complaints that have been lodged against Uber over the years. Uber has also been plagued by numerous incidents involving the behavior of Uber leadership, the Uber corporate culture, and the behavior of Uber drivers. Once we have added these complaints to the list of charges against Uber, we will be in a position to ask whether any of the items on the list might generate any moral implications for consumer behavior.

Here is a partial timeline of morally salient events in the history of Uber. As with the general complaints, these are introduced from a hypothetical perspective: *If* these charges were shown to be accurate, would they give us reason to boycott Uber?

- Aug 2014: Uber rival Lyft claims that Uber employees requested and canceled thousands of Lyft rides, decreasing Lyft driver availability and possibly sending more customers to Uber (Fink, 2014).
- Nov 2014: Senior VP Emil Michael suggests hiring opposition researchers to fight back against critics of Uber in the media (Smith, 2014); he later apologizes.
- Nov 2016: Uber discovers (but fails to disclose) a data breach affecting 57 million accounts, then pays hackers \$100,000 to help conceal the breach (Bensinger & McMillan, 2016).
- Jan 2017: The New York Taxi Workers Alliance calls for a work stoppage at JFK during a protest of Trump's travel ban; Uber continues operations during the protest (Hawkins, 2017).
- Feb 2017: Travis Kalanick withdraws from Trump's economic advisory council (Isaac, 2017a).
- Feb 2017: Susan Fowler, former site reliability engineer at Uber, publishes a blog post alleging and documenting repeated sexual harassment while working at Uber (Fowler, 2017).

- Feb 2017: Waymo (the self-driving unit of Google) sues Otto (which had recently been acquired by Uber) for stealing trade secrets and infringing on patents.⁹
- Feb 2017: Kalanick argues with a driver over recently lowered fares, saying “Some people don’t like to take responsibility for their own shit” (Wong, 2017).
- Mar 2017: Current and former Uber employees leak information about the “Greyball” program, which (among other uses) helps Uber evade regulators and law enforcement officials (Isaac, 2017b).
- Jun 2017: Kalanick steps down as CEO and takes an indefinite leave of absence (Isaac, 2017c).¹⁰
- Aug 2017: Uber leases cars known to be unsafe to drivers in Singapore; some of the cars catch on fire (“Smoke, then fire,” 2017).
- Mar 2018: In response to a class action lawsuit alleging widespread discrimination against women and minorities, Uber agrees to settle for \$10 million (Kopytoff, 2018).
- Mar 2018: Uber suspends self-driving vehicle tests after one of their self-driving cars strikes and kills a woman crossing a street in Tempe, Arizona (Wakabayashi, 2018).
- Apr 2018: A CNN investigation reports that 103 Uber drivers were accused of sexual assault or abuse in the previous four years.¹¹
- Jul 2018: Uber Head of HR Liane Hornsey resigns amid an investigation into complaints that she systematically ignored allegations of racial discrimination (Gibbs, 2018).
- Oct 2018: Cameron Poetzsch, Uber corporate development head, resigns as a result of sexual misconduct allegations (Bensinger, 2018b).

⁹ Although the lawsuit was filed against Otto and Uber, most of the allegations centered around Anthony Levandowski, a former Waymo employee who left Waymo to found Otto. For more details, see (“A note,” 2017). The lawsuit was settled in 2018, but Levandowski was recently indicted by federal prosecutors for theft and attempted theft of trade secrets. (Muller, 2019)

¹⁰ Kalanick remained on the Uber board of directors until December 2019, when he severed all ties with the company by stepping down from the board and selling all of his Uber stock (Palmer, 2019).

¹¹ At the time, Uber’s terms of service required that sexual misconduct accusations be resolved in arbitration, rather than in a courtroom; later, in May, they changed their policy to allow for such accusations to go to trial. For more details on the investigation (which also uncovered a smaller number of accusations against Lyft drivers), see (O’Brien, Black, & Griffin, 2018).

As evidenced by this list, individuals affiliated with Uber have been accused of numerous categories of corporate malfeasance: failure to protect data privacy, theft of trade secrets, lack of worker safety, lack of consumer safety, racial discrimination, controversial employment practices, and allowed sexual misconduct (including sexual assault and sexual harassment). Thus, Uber is a good test case for the question of whether corporate behavior could provide moral justification for a boycott. We are now in a position to ask: In light of these ethical challenges, what is the argument for deleting the Uber app?

The Argument for Deleting Uber

A decision to boycott Uber, like any other decision, will fall into one of three moral categories: morally obligatory, morally permissible, or morally prohibited (morally wrong). A personal boycott is clearly permissible: nobody has a general moral obligation to use Uber (or any other company, organization, or attraction, for that matter), so no justification is required for a decision to refrain from using it.¹² Thus the salient question about personal boycotts is whether a personal boycott of Uber might be morally obligatory. The salient question about organized boycotts, however, is a different one. For reasons we will look at below, an organized boycott does not have the same default moral status as a personal boycott. Some organized boycotts are clearly permissible, but some might be morally wrong. Whereas the salient question about a personal boycott is whether it is merely permissible or actually obligatory, the salient question about an organized boycott is whether it is morally wrong or morally permissible.

As we have seen, there are many aspects of the way Uber, its leaders, and its workforce operate that might give us pause. But there is no direct inference from “Uber does bad things” to “We shouldn’t use Uber.” And even if there were a direct inference, another step would be required to get us to the conclusion that we should initiate or join an *organized* boycott. We could attempt to construct an argument from scratch, but I propose instead that we examine and borrow some argumentative strategies from the literature on moral vegetarianism. Drawing this parallel promises to be fruitful because the debate over moral vegetarianism shares the same structure as the debate over an organized boycott of Uber: The

¹² There could, of course, be special circumstances in which calling an Uber became obligatory; but even in these cases there still wouldn’t be a general obligation to use Uber.

production of some good or service involves significant harms; and this fact suggests, but does not entail, a moral obligation to refrain from consuming the product or service. Thus, an argument is needed. And since there has been a significant amount of philosophical work done on moral vegetarianism in recent decades, we should look to see if any of that work can help us answer our questions about the permissibility or obligatoriness of an Uber boycott.

Drawing a Parallel Between #deleteUber and Moral Vegetarianism

The moral vegetarian argues that we are obligated to refrain from eating meat; or, more simply, that eating meat is wrong. The argument for this conclusion typically runs in two stages.¹³

In the first stage, the arguer highlights some feature of the way that meat is produced to support the claim that meat production is wrong. For example, the arguer might point out that industrial animal farming (“factory farming”) causes unnecessary animal suffering (unnecessary primarily because there are other available sources of food, but also because there are other ways to farm); and then the arguer might conclude that industrial animal farming is wrong in virtue of causing unnecessary animal suffering.

In the second stage, the arguer attempts to establish the wrongness of meat consumption by connecting it to the wrongness of meat production. There are different paths to this conclusion, but one path focuses on the notion of *participation*.¹⁴ It is wrong to participate in wrongdoing, and to consume factory farmed meat is to participate in factory farming (which counts as wrongdoing because it causes unnecessary animal suffering); thus it is wrong to consume factory farmed meat. If consuming factory farmed meat is morally wrong, then, at least in ordinary circumstances, I ought to refrain from such consumption. Thus, we have the outlines of a strategy for arguing that we are morally obliged to engage in a personal boycott of meat.

If we were to apply this argumentative strategy to the Uber question, we would first need to argue that the way Uber operates (the “production of Uber rides”) is wrong and then argue that using Uber is wrong in virtue of its relationship to the way Uber operates. As part of the first stage, we might point to the list of complaints above—sexual misconduct,

¹³ For a helpful overview of the literature on moral vegetarianism (including a discussion of the argument schema we will be looking at), see (Doggett, 2018).

¹⁴ For a discussion of the participation argument (and related arguments as well), see (Kutz, 2000) and (Lepora & Goodin, 2013), both of which are cited in (Doggett, 2018).

endangering drivers, endangering riders, and so on—and claim that the behavior implicated in those complaints is morally wrong.¹⁵ Having highlighted some types of moral wrongdoing, we could then argue that the way Uber operates is morally wrong in virtue of involving all those types of moral wrongdoing. (And again, we would need to acknowledge that in some cases Uber has not admitted to being involved in the wrongdoing in question. So the claim would be that *if the allegations are true*, then the way Uber operates is morally wrong.)

In the second stage of the argument, we would need to claim that using Uber is participating in wrongdoing, and then claim that it is wrong to participate in wrongdoing. If those claims are true, then using Uber is morally prohibited. Combining both stages (and narrowing our focus to a subset of the complaints), we arrive at something like the following argument:

1. Sexual misconduct, endangering drivers, and endangering riders are morally wrong.
2. The way Uber operates involves sexual misconduct, endangering drivers, and endangering riders.
3. Therefore, the way Uber operates is wrong.
4. To use Uber is to participate in the way Uber operates.
5. It is wrong to participate in the production of wrongdoing.
6. Therefore, using Uber is wrong.

In short: If the way Uber operates is wrong, and if it is wrong to participate in wrongdoing, then it is wrong to use Uber. And if it is wrong to use Uber, then we should stop using Uber: we should engage in a personal boycott.¹⁶

¹⁵ Not everyone will agree that every item on the list implicates morally prohibited behavior. For example, not everyone will agree that classifying drivers as independent contractors is morally wrong. If you find yourself doubting whether one of the items counts as morally wrong, then you can simply remove that item from the list.

¹⁶ There are other ways of trying to connect the act of using Uber to the apparent wrongness of the way Uber does business. Using Uber might be wrong because it *produces more wrongdoing*, or it might be wrong because it *extracts value from wrongdoing*, or because it *exhibits a certain sort of attitude toward wrongdoing*. I will continue to focus on the participatory idea, which strikes me as the most promising, but see (Doggett, 2018) for a detailed discussion of other strategies (in the context of moral vegetarianism), including a consideration of objections to each of the strategies.

This argument seems to have a decent chance of succeeding, but it also faces some significant objections. For example, the argument raises difficult questions about what exactly is included in the notion of participation—questions that would need to be answered if we were mounting a complete defense of the argument. Thus, it remains an open question whether the participatory argument can justify a personal boycott of Uber. But for now, suppose that it can. What else, if anything, would be needed to justify an *organized* boycott of Uber?

Attempting to Justify an Organized Boycott of Uber

When we are considering an organized boycott, as we saw above, the salient question is whether the boycott is morally permissible. The permissibility of an organized boycott does not follow directly from the permissibility (or even the obligatoriness) of a personal boycott, so we need to dig a little deeper before we can determine in what situations, if any, an organized boycott of Uber would be morally justified.

Moral Justification for Boycotts

It might seem at first that an organized boycott of Uber (or any other company) is obviously morally permissible, for roughly the same reasons that a personal boycott is obviously morally permissible. Some recent work on the moral status of boycotts, however, has argued that there are some cases in which an organized boycott is morally prohibited.¹⁷ Linda Radzik (Radzik, 2017), for instance, has argued that boycotts typically count as a form of speech, in particular as a form of moral protest. In addition, a boycott can function as a way of avoiding complicity in wrongdoing, as a way of administering social punishment, or as a way of exerting social coercion. Whether or not a particular boycott is morally justified depends on which of these (sometimes overlapping) categories it falls into, and on the norms that apply to actions in that category. For example, Radzik points out that morally appropriate punishment is governed by a proportionality requirement; thus if a particular boycott is functioning as a social punishment, and it causes harm that is out of proportion to the injustice being protested, then that boycott will probably not be morally justified. Similarly,

¹⁷ See (Mills, 1996), (Radzik, 2017), and (Tomhave & Vopat, 2018) for thoughtful discussions of the moral status of organized boycotts.

coercion is governed by its own set of norms,¹⁸ and an instance of boycotting that functions as a type of social coercion will need to abide by those norms in order to be morally justified.

In their discussion of organized boycotts, Tomhave & Vopat (2018) focus on the coercive aspect of boycotting: for them, a boycott is just an organized use of coercive force. Their question, then, is when the organized use of coercive force is justified, and to answer that question they look to the nature of the action, practice, or policy to which the boycott is responding. If the action (or practice, or policy) is merely an expression of a viewpoint, then a response involving coercive use of force, designed to silence the viewpoint in question, is probably not morally justified. But if the action extends beyond mere expression and is actually causing harm, then a coercive use of force designed to mitigate or prevent that harm has a better chance of being morally justified.¹⁹ Whether coercive force employed for this purpose is justified will depend on a number of factors, including how much harm the boycott itself is causing or will cause. A boycott undertaken for the purpose of preventing harm could fail to be justified because the boycott itself produces harms that are greater than the harms targeted by the boycott. For example: boycotting a hotel chain in response to their poor treatment of cleaning staff could result in layoffs, the harms of which might outweigh the goods produced by any policy changes prompted by the boycott. In such a case, the boycott might still be unjustified despite the intentions of its organizers. On this view, the moral status of a boycott depends on its outcomes: an organized boycott is morally justified “if and only if the boycott produces, on balance, more good than harm” (Tomhave & Vopat 2018, 129).

This criterion helps explain why a boycott that is organized as a response to an expression of a viewpoint is typically not morally justified. This type of censorious boycott, if successful, will have the effect of silencing the targeted viewpoint and also preventing or minimizing further expressions of that viewpoint. Since a diverse marketplace of ideas is important for a healthy society, removing a viewpoint from that marketplace causes harm. Thus, in order for a censorious boycott to be morally justified, it has to produce goods that together outweigh the harms done by restricting the marketplace of ideas. Such a situation is possible, but unlikely.

¹⁸ See (Anderson, 2017) for a detailed and helpful discussion of coercion.

¹⁹ This distinction between boycotts against objectionable practices and boycotts against expression or dissemination of a point of view traces back to (Neier, 1982). Although both types of boycott are *legally* protected, Neier argues that a boycott against a point of view will rarely be *morally* justified.

Let us briefly apply this criterion to a hypothetical example. If a coffee company is exploiting its workers, then an organized boycott of that company for the purpose of stopping the worker exploitation stands a good chance of being morally justified. (Whether or not it is ultimately justified will depend on whether it can be expected to produce, on balance, more good than harm.) Alternatively, if the CEO of the coffee company expresses an unpopular political opinion, then an organized boycott for the purpose of punishing her (or forcing her to change her view, or at least forcing her to retract public statements she has made in support of her view) is probably morally impermissible.²⁰ An organized boycott in this case would be primarily an attempt to silence a viewpoint in the marketplace of ideas, and is thus likely not to be morally justified.

Of course, there is not always a clear distinction between expressing a viewpoint and causing harm. Some views are offensive, and offense is a type of harm; and in extreme cases, expressing a view can cause harm in virtue of perpetuating or otherwise supporting systemic or structural injustice. Nevertheless, the distinction between boycotting to prevent harm and boycotting to silence expression is a useful starting point when considering the moral status of a proposed boycott. Let us adopt the distinction and apply it to the Uber situation.

Application to Uber

In order to apply this distinction to the #deleteUber boycott, we have to ask whether the boycott can be expected to bring about, on balance, more good than harm. And that question will often require looking at the reasons behind the boycott. If someone were to advocate for a boycott of Uber simply because Travis Kalanick joined President Trump's economic advisory council, then it seems likely that the primary purpose of the boycott would be to suppress a viewpoint; the boycotter perceives Kalanick's actions as implying support for Trump, and they want to silence that expression of support. A boycott initiated for this reason would probably not be justified.²¹

If someone organized a boycott of Uber not as a way of silencing Kalanick but instead as a way of pressuring Uber to work harder to prevent sexual harassment and other types of

²⁰ Tomhave & Volpat consider at length the boycott of Chick-fil-A, organized in response to some public statements from the company's CEO, Dan Cathy.

²¹ Someone might argue here that Trump's policies are causing harm, and thus that this type of boycott could be construed as an attempt to prevent harm by protesting those policies. Either way, we can still ask whether the harms prevented by the boycott outweigh any harms it may cause. But boycotting Uber as a protest against Trump is indirect enough that it's at least unclear whether the harm prevented will outweigh the harm caused.

wrongdoing, then that type of boycott would seem to have a better chance of bringing about more good than harm—and thus a better chance of being morally justified.

As we saw above, the actual reason behind the #deleteUber boycott (or at least the proximate cause of the trend) was the lack of response by Uber to Trump’s executive order on travel restrictions. Insofar as the Uber failure to participate in the work stoppage at JFK can be construed as implicit support of Trump or his policies, the actual #deleteUber trend could be seen as a “silencing of expression” boycott, and thus probably not morally justified. However, insofar as the executive order can be seen as causing harm (to travelers from the affected countries, among others), and insofar as the purpose of the boycott is to bring about a policy change, the #deleteUber trend could be seen as a “preventing harm” boycott, and thus potentially morally justified. Determining whether it was ultimately morally justified or not will require answering complicated questions about the effects of the boycott—questions made even more complicated by the degrees of separation between Uber, the immediate target of the boycott, and the policies that the boycotters want to see changed.²² We cannot answer all those questions here, but perhaps we can make a comparative claim: Boycotting Uber for the purpose of forcing policy changes within a presidential administration is less likely to be morally justified than boycotting Uber for the purpose of forcing policy changes within Uber itself.

Decision Point

In light of the information above, and your own knowledge of the impact and business practices of Uber, do you believe that you have a moral obligation to refrain from using Uber? (In other words, do you have a moral obligation to engage in a personal boycott of Uber?) Why or why not? What would have to change in order for your answer to change? When evaluating organized boycotts, do you find the “more good than harm” criterion helpful? Moving beyond the personal boycott, do you think an organized boycott of Uber is (or could be) morally justified?²³

²² Due to these degrees of separation, the #deleteUber boycott could be described as a type of “secondary boycott” (Radzik, 2017, 106).

²³ Thanks to Jared Ashworth, Julia Norgaard, James Prieger (and other participants in the PEP Talks Research Seminar), and an anonymous reviewer for helpful comments on an earlier draft of this case study.

Discussion Questions

1. One element of the original #deleteUber controversy was the Uber decision to turn off surge pricing during the taxi worker strike. In your view, was their decision to turn off surge pricing a good thing (because it showed that they were not trying to profit from the ban) or a bad thing (because they were making it less costly for riders to sidestep the ban)? More generally, surge pricing is unpopular despite its ability to increase the supply of drivers and allocate available rides to those who are willing to pay more for them. Can you think of ways to alter the surge pricing mechanism (or the way it is branded) to reduce the animosity toward it?
2. Does the participatory argument for a personal boycott of Uber succeed in its attempt to connect the wrongness of (some of) the Uber operations to the alleged wrongness of using Uber? If not, why not? What do you take to be the strongest argument for a personal boycott of Uber?
3. Consider the proposed organized boycott of Uber. Do you think the distinction between a boycott that is intended to silence the expression of a viewpoint and a boycott that is intended to prevent harm is a helpful distinction? Which, if any, of the problematic behaviors listed above constitutes the type of harm that would justify a boycott?
4. Much of the recent controversy surrounding Uber has focused on the California Assembly Bill 5, which was passed in September of 2019. The bill mandates that companies designate their workers as employees rather than contractors if their work is part of the regular business of the company or if the company controls how they perform their tasks (Conger & Scheiber, 2019a). In light of this legislation, consider first a moral question: Does Uber (together with similar companies in the gig economy) have some sort of moral obligation to classify their drivers as employees rather than contractors? Why or why not? Suppose the answer to the moral question is "Yes." Is this California law a good one? Can you think of any adverse effects it might have?
5. As noted above, Uber has been criticized for its approach to regulation. Instead of working with regulators to ensure that their drivers have the right permits and licensing, Uber has typically used aggressive discounting and marketing tactics to

build up enough rider support to put pressure on regulators to allow Uber to keep operating. This strategy has produced rapid growth, but it has also backfired in places such as London. Shifting the focus to the regulatory side of the equation, many have argued that some regulations, like taxicab medallion laws, are bad for the economy because they inflate prices by artificially limiting supply and making it hard for innovations to enter the market. So the Uber approach has arguably been too aggressive, but the regulations they are facing are arguably too restrictive. In light of this tension, what, if anything, do you think Uber should have done differently in their approach to regulation?

6. Uber is part of, and in many ways representative of, the sharing economy,²⁴ which features more part-time work from providers and less ownership from consumers. This focus on part-time work has turned some jobs into something that resembles more of a freelancing gig, which is why the sharing economy is sometimes referred to as the gig economy. An increasing number of businesses are adopting a gig model, which raises interesting economic and moral questions. In which industries or circumstances are gig models better than the alternative? (Are they better for everybody, or better on balance because the benefits outweigh the harms?) If we want to maximize both the health of an overall economy and the well-being of the individuals who participate in it, what proportion of that overall economy should include gig work?

Further Reading

- The most comprehensive treatment of the brief but tumultuous history of Uber can be found in *Super Pumped: The Battle for Uber* (Isaac, 2019). For an overview of Isaac's book, see (Crockett, 2019).
- For an excellent recent treatment of the ethics of boycotting, see (Radzik, 2017).

²⁴ (Eckhardt & Bardi, 2015) have pointed out that “the sharing economy” is a misnomer. They propose “the access economy” instead.

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