

# Barely Legal: The Global Uber Enterprise

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*The lobbying of Uber should, along with those of other corporate giants, only surprise those prone to pollyannaish escapism. Its hungry, desperate behaviour takes place in plain sight, and denials merely serve to emphasise the point. It resembles, in some crudely distant way, the operating rationale of the notorious British sex pest Jimmy Savile, who preyed upon his victims with the establishment’s complicity.*

In terms of the gig economy, there are few more ruthless buccaneers than this San Franciscan ride-share company that has persistently specialised in cutting corners and remaking them. Those taken aback by the latest [leaked files](#) about Uber’s conduct would do well to remember the initial stages of the company’s growth, and the protests against it. Globally, the taxi fraternity raged against the encroachment of this new, seemingly amorphous bully. Some authorities heeded their wishes, seeing an alternative option in transportation.

In September 2017, Transport for London refused to renew the company’s license, [accusing](#) the company of lacking “corporate responsibility in relation to a number of issues which have potential public safety and security implications.” For all such rowdy, boisterous resistance, the company continued to spread its tentacular reach, inculcating users and drivers with ratings, incessant surveillance and behavioural observation.

The Uber leaks give us ringside seats to the decision making of the company. Files numbering some 124,000 spanning the period between 2013 to 2017, were leaked to *The Guardian* and found their way to 180 journalists across 29 countries through the International Consortium of Investigative Journalists (ICIJ). These [include](#) the savoury essence of over 83,000 emails, iMessages and WhatsApp messages exchanged between then CEO Travis Kalanick and various company executives.

The ICIJ brings out a big gun from the off. In 2015, France’s taxi drivers showed their incensed displeasure with the company by setting fire to tyres, overturning cars and blocking access to airports. The result of the protest was initially significant, [leading](#) to a suspension of the company’s operations and a nationwide ban. “Needing a friend in government to smooth things over,” [states](#) the ICIJ with gotcha confidence, “Uber’s chief

European lobbyist sought help from a young French minister on the rise: Emmanuel Macron.”

They had good reason to feel plucky. **Mark MacGann**, the lobbyist in the question, is found [sending a text](#) to the then French economy minister on October 21, 2015 expressing concern about the ban. “Could you ask your cabinet to help us to understand what is going on?” Macron promises to “look into this personally” and urges “calm at this stage”.

Within hours, the suspension order was being reconsidered. “The local government in Bouches du Rhones will modify its decision and press release to clean up the statements that set off such confusion,” a relieved and grateful MacGann informs Macron. “Thank you for your support.” Macron expresses his own gratitude for the company’s “measured response.”

This picture, according to the leaked messages, emerges from some dozen undisclosed communications and, at the latest count, four meetings between representatives of Uber and Macron. It prompted French MP Aurélien Taché [to call it](#) “a state scandal.” Mathilde Panot, parliamentary leader of the left opposition party France Unbowed gave the perpetrator of the scandal an even better description. Macron had shown himself to be a lobbyist for a “US multinational aiming to permanently deregulate labour law”.

The current French President is not the only one to have been taken in by the service. The Prime Minister of the Netherlands, Mark Rutte, had some advice to give the company. “Right now you are seen as aggressive,” he said with dreary triteness. His solution to Kalanick: “Change the way people look at the company”. Focus on the good. “This will make you seem cuddly.”

Given the protests against Uber globally, both in terms of drivers and users, the company chewed over a strategy of reverse emphasis. The true problem, went this line of marketing, was the vicious, lazy, monopolising taxi driver. Along the way, the company could also discount the welfare of Uber drivers while extolling the merits of a more liberal marketplace hankering for transportation options. “Violence,” [exhorted](#) Kalanick like the privateers of old, “guarantee[s] success.”

Spokesperson for Kalanick, Devon Spurgeon, comes close to degrading the old cabbies, suggesting that the Uber model was refreshingly competitive in the face of industry sclerosis. Kalanick and company, [explained](#) Spurgeon to the ICIJ, “pioneered an industry that has now become a verb.” To do so required them to break a few eggs and rules on the way “in an industry where competition had been historically outlawed. As a natural and foreseeable result, entrenched industry interests all over the world fought to prevent the much-needed development of the transportation industry.”

Perhaps most revealingly of all, and typical of the East India Company ethos of this titan, was the delight company members [found](#) in flouting laws and soiling regulations. Its “other than legal status” was a point of constant excitement, notably in a range of countries from South Africa to Russia. In the uncoated words of Uber’s head of global communications, Nairi Hourdajian, [written](#) to a colleague in 2014 as attempts in Thailand and India to shut down the company were afoot, “Sometimes we have problems because, well, we’re just fucking illegal.”

The battles against Uber’s corporate banditry continue, none more passionately and

committedly waged than by the workers themselves. Uber drivers have managed to make a case in the Netherlands and the UK that they are protected by the jurisdiction's labour laws.

The same cannot be said about the United States, where freedom of contract and the tyranny of uneven pay prevail. As Joe Biden, well wooed by Kalanick as US Vice President, said in his adjusted 2016 speech at the World Economic Forum at Davos, there was a company able to give millions of workers "freedom to work as many hours as they wish, manage their own lives as they wish". The Uber cofounder was less enthused by the vice presidential vessel. "Every minute late [Biden] is," he [wrote](#) in a text to a co-worker, "is one less minute he will have with me."

The company's board can also rest easy in one respect. They have majority shareholder support to ensure that a lack of transparency regarding spending and lobbying activities will be permitted to continue. While the veil continues to operate, current CEO Dara Khosrowshahi is also aggressively pursuing a policy of sprucing and cleaning the company's image. This pirate of transportation is turning cuddly.

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