Law and the Next Economy

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How to Make Bread in the Current Legal and Economic System

Corporate Shareholders
Current Legal and Economic System

Water
Land
Corporate Shareholders
Current Legal and Economic System

Work

Money

Corporate Shareholders
Current Legal and Economic System

Corporate Shareholders

Work

Money
Current Legal and Economic System

Shareholder-Elected Board

Corporate Shareholders

Work

Money
Current Legal and Economic System

Work

Money

Shareholder-Elected Board

Corporate Shareholders
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Work

Money

Power

Money
Current Legal and Economic System

Power

Shareholder-Elected Board

Money

Corporate Shareholders

Jobs

Food
The Constitution

- freedom
  of contract,
  etc...
The U.S. Congress and the Supreme Court, around 1937, decided that the relationship seemed a bit too imbalanced.
The laws haven’t really protected us very well....

Darden Restaurants

Shareholder-Elected Board

One half billion in profits per year

Corporate Shareholders

$2.13/hour + tips

No paid sick time
93% of the wealth goes to 20% of the people, and 7% of the wealth goes to 80% of the people.
Grocery Cooperatives
Worker Cooperatives
Urban Farms
Cohousing Communities
Community Gardens
Social Enterprise
Shared Commercial Kitchens
Carsharing Groups
Ecovillages
Local Currencies
Barter Networks
Time Banks
Land Trusts
Community-Supported Agriculture
Credit Unions
Etc. Etc. Etc....
Food Oasis Cooperative

400 residents of a food desert neighborhood form a cooperative to purchase locally-grown and healthy food.
Employment Laws
Are They Employees of Their Own Buying Club ??
• Community Food Co-op
• Farm Internships
• CSA Volunteers
• Worker Cooperatives
• Mutual Aid
Happiness?

Personal

Commercial

Charitable
Employment Laws

Securities Laws

Diagram showing a hand on a steering wheel with the text "Employment Laws" and "Securities Laws" connected by wires.
Buy catfood
Buy stock in huge company

Buy
$5000
Stock in Purina
Put in $1000 to start a natural cat food coop with 30 other cat people.
Seed Library

Free Seeds for Everyone!

- Peas
- Squash
- Chard
- Beets
- Cucumber
- Carrots
- Tomatoes
- Kale
- Turnips
- Herbs
- Berries
- Lettuce
Seed Library

Crime Scene

- Peas
- Squash
- Chard
- Turnips
- Herbs
- Berries
- Kale
- Lettuce
Protect Seed Libraries

To: Directors of all 50 U.S. State Departments of Agriculture

Over 300 nonprofit seed libraries in the U.S. might be regulated out of existence due to misapplication of seed laws by several state departments of agriculture.

I believe seed libraries are key to a more secure and resilient food system. Seed libraries provide free access to seeds, protect the diversity of our food sources, and educate community members about growing food and saving seed.

I support citizens’ freedom to share locally saved seed with their neighbors. Laws designed to regulate commercial sales of seed should not be applied to noncommercial donations of seed from seed libraries.

ADDITIONAL BACKGROUND:

After Pennsylvania’s Department of Agriculture adopted a policy restricting the Simpson Seed Library in Mechanicsburg, PA from sharing locally saved seed, several states have followed suit, threatening the continued existence of seed libraries. Seed laws exist to regulate entities that sell or commercially exchange seeds. A seed library is a nonprofit, cooperative, or governmental organization that donates seed and receives donations of seed, especially by encouraging members to learn about seed saving and donate seeds to the library. Donation of seed is not required in a seed library, so the sharing of seeds does not even rise to the level of barter or exchange, let alone sell. Seed libraries are far different in nature and scale than commercial seed companies and need to be appropriately recognized under the law to protect their ability to continue freely sharing seeds in communities across the country.
Someone who grows a LOT of food and shares/sells it

I grew way too much eggplant...

Hey neighbor! Can I buy some?

locavore
Food & Agriculture Laws
Zoning Laws
Employment Laws
Health & Safety Laws
Securities Laws
Food & Agriculture Laws
Zoning Laws
Employment Laws
Health & Safety Laws
Securities Laws
Employment Laws Regulations have limited how we use:

- Our money
- Our time and labor
- Our relationships
- Our homes and neighborhoods
So many laws to change!
Seeking Itsy Bitsy Loans
At the same time, how can we loosen these bolts without opening the floodgates to extraction?
This is a **flawed system** and it’s dangerous to loosen many of the laws.
Let’s try a **new system**.
Board elected by workers, consumers, or both.
Profits distributed to workers on the basis of the value or quantity of their work.

Or to consumers based on value or quantity of purchases.

Or both.
Some people think all cooperatives are this:

That reminds me of something related that happened when I was a kid.....

OMG! What time is it???
The 2 things to know about cooperatives:

1. Board elected on a one-member, one-vote basis. Capital ownership doesn’t determine voting power.

2. Profits distributed on the basis of patronage. Capital ownership doesn’t determine profit share.
Co-ops will change how wealth flows in society and multiply the wealth for the 80%.

7% of the wealth

80% of the people
This entity is designed to extract.
This entity is designed to provide, nourish, and protect.
That’s our legal wedge!!

We need one legal regime for extractive entities.

We need ANOTHER legal regime for generative entities.

Market Governance Structures

Commons Governance Structures
One moral to the story:

**COOOOOOOOOOPERATIVES!**

We can’t change the economy without them.

We can’t change the legal system without them.
“A commons may arise whenever a group of people decides that it wishes to **manage a resource in a collective manner**, with a special regard for **equitable access, use and long-term stewardship.**” – David Bollier
Let’s create commons all over the place!!

We’ll soon reach this tipping point.

Forming a cooperative, today...
...is hard.
- Financing?
- Legal assistance?
- Replicable models?
- Difficult legal hurdles?
- Legal structure options?
- Learning cooperative skills?
- Community / government support?
- Consumer understanding and awareness?

We will reach the tipping point by...
- Removing legal barriers.
- Growing cooperative literacy.
- Building consumer consciousness.
- Facilitating cooperative conversions.
- Creating new financing opportunities.
- Creating incentives through public policy.
- Creating inspiring and replicable models.
- Creating educational programs focused on cooperatives.
- Ensuring that every coop receives thorough and affordable legal assistance.
Of course, that’s where **EVERYONE** comes in.
“We can begin to imagine ourselves as commoners. We can begin to **become protagonists in our lives**, applying our own considerable talents, aspirations and responsibilities to real-life problems. We can begin to **act as if we have inalienable stakes in the world** into which we were born. We can assert the **human right and capacity to participate in managing resources critical to our lives.**” – David Bollier