



## Ten lectures on co-operative law. By Hans-H. Münkner.

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How to cite this article:

Adderley, I. (2018). Ten lectures on co-operative law. By Hans-H. Münkner [Book review]. *Journal of Co-operative Studies*, 51(1), 60-61

## Book Review

# Ten Lectures on Co-operative Law

By Hans-H. Münkner

Second Revised Edition, *Wirtschaft Forschung Und Wissenschaft*, 2016.

Hans-H Münkner brings to bear his forty plus years' experience in co-operative legislative development in this second edition of his 1982 book *Ten Lectures on Co-operative Law*. As the title suggests, the book is split amongst ten separate 'lectures', naturally following the life of a co-operative from conception through to dissolution. Much of the work from the original text remains unchanged, with the author instead providing commentary on new developments and trends as supplementary material at the end of each chapter.

The target audience for the book is students of co-operative law. Accordingly, the book provides easily accessible explanations of key co-operative law concepts for those with a basic and developing understanding of the law. Given lack of formal education in co-operative law in the UK, this book will be equally useful to those legal practitioners coming to this field for the first time.

The book takes an international perspective, drawing on knowledge of legislation from across the globe. There is, inevitably, a heavy European focus. But the book benefits from the author's extensive experience of co-operative legal development in Africa and Asia.

At the outset of the book the author outlines some of the key trends that will appear throughout. 'Companization' is one such trend. This being the adoption of company law concepts into society law, generally at the expense of distinctly co-operative features.

The author also notes the development of co-operatives from those following the "classical" model (used to describe the homogenous membership co-operatives) into co-operatives of heterogeneous membership, more commonly referred to as multi-stakeholder co-operatives. While the author has, it would seem, a preference for the former, the work goes on to set out the considerations to be made, and arrangements to put in place, for those multi stakeholder co-operatives.

The concept of the 'social economy' has grown between the first and second edition of this book, so it is fitting that discussion takes place analysing how this rests with lessons espoused in the first edition. Comparative analysis and commentary is provided on the development of social co-operatives (in Italy for instance), solidarity co-operatives, and the 'general interest co-operative' (something that those familiar with the ongoing work on Principles of European Co-operative Legislation (PECOL) will be familiar with).

Outside of the analysis of new trends and developments, the bulk of the core text remains pertinent and relevant. A chapter on 'by-laws' (what we tend to call 'rules') provides useful detail for those who may be faced with the task of determining what they ought to cover. Likewise, a chapter on amalgamation and transfer of engagement sets out useful legal considerations. Though, as said, this is aimed at students with a view to explaining key concepts, rather than practitioners looking for legal guidance.

The work deliberately does not focus on any one type of co-operative. Much of what is said is relevant to all types of co-operative. Though the language used (tending to refer to a consumer relationship) may leave some worker co-operatives wondering if their position has been sufficiently attended to. That being said, this is more a problem of style rather than substance in this instance.

This book could prove to be a useful textbook for those looking to plug the gap in co-operative legal education.

This is timely, as we at the UK Society for Co-operative Studies, working with Anthony Collins Solicitors, have started delivering seminars on Society Law to address that very gap.

## **The Reviewer**

Ian Adderley is the Chair of the UK Society for Co-operative Studies, a lawyer, and the senior associate in the Mutuels Team at the Financial Conduct Authority. He writes here in a personal capacity.