

Sharing and the City: Re-imagining Regeneration for America's Urban Core

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Rashmi Dyal-Chand, [Collaborative Capitalism in American Cities: Reforming Urban Market Regulations](#) (2018).

As debates about “exclusion” and “sharing” continue to animate property and political discourses, scholarship tackling questions about how *and for whom* property and property law works is timely.

Scholarship examining the power of property law to promote inclusion¹ through informal, contractual and proprietary forms (e.g., easements, leases, trusts, concurrent estates, and co-ownership arrangements), or property law's “*sharing*” impulse,² have typically focused on the social and economic benefits of hanging a different sign: that says not “keep out” but “come on in.” The legal power to include has also been lauded as a powerful enabler of innovation for the “sharing economy”—from for-profit platforms like Airbnb and Uber to not-for-profit initiatives like foodbanks and makerspaces.

Scholarship exploring the potential of the sharing economy as a vehicle for economic growth, innovation and micro-entrepreneurialism has examined how facilitating access to property, resources, time and skills can enable those who are excluded from these opportunities under conventional ownership models.

While the emergence of the ‘sharing economy’ has prompted intense interest amongst property scholars, it has also provoked a raft of public and policy concerns linked to precarity and exploitation of labor in the “gig economy.” Professor Rashmi Dyal-Chand's new book, [Collaborative Capitalism in American Cities: Reforming Urban Market Regulations](#), casts new light on practices of sharing.

Focusing on the tricky challenges of inner-city economic regeneration, this account offers a fresh perspective, both theoretically and methodologically, from which to understand how pragmatic practices of collaboration and sharing can deliver economic stability, capitalist growth and inclusion.

The dilemma at the heart of this book is the endemic crisis of economic underdevelopment and stagnation, creating poverty and lack of mobility, at the core of America's inner-cities. Dyal-Chand begins by noting how law—through racial zoning and the protection of racial covenants—produced inner-city segregation. She notes that attempts to regenerate inner city markets “fall short because their proponents misunderstand the reasons for economic instability in the inner city.” (P. 6.)

She focuses on the distinctive nature of economic instability in the urban core, which goes beyond mere wealth inequality to segregation, educational disinvestment, violence and racial strife. Dyal-Chand highlights features of inner-city networks, including a hyper-localism in economic, labor and social relationships, which sits at odds with the shift towards digitally-enabled global networks in mainstream US markets.

While Dyal-Chand reveals the features that mark out the distinctiveness of inner-city markets, her focus is avowedly not on what has failed in urban cores, but on what has worked. The book adopts a case study method—focusing on three detailed cases, investigated through detailed qualitative

interviews—to understand how economic stability is produced in these settings.

The case studies focus on for-profit collaborative businesses that have adopted network techniques to generate economic stability, and applied practices of shared ownership to return wealth to employees. Dyal-Chand's treatment of these case studies aims to understand why some entrepreneurial initiatives succeed where others have failed.

For example, in Chapter Two, she analyses the successful growth of Cooperative Home Care Associates, the largest worker owned cooperative in the United States, and its network partners Paraprofessional Healthcare Institute, Home Care Associates, and Independence Care System. Key features identified include practices of sharing critical resources, training, financing, and management expertise across networks.

By externalizing significant costs to the network, these organizations successfully leverage the power of sharing to achieve capitalist success in inner city locales. Dyal-Chand uses detailed testimony to tell the stories of these businesses from the perspective of the founders, leaders, and owner-employees.

A key insight drawn from their accounts is the role of legal frameworks and regulatory context in enabling networks or creating barriers to their establishment and successful growth. This perspective enables Dyal-Chand to identify where law (perhaps unwittingly) is calibrated to assumptions about the nature of, and conditions for, business growth that do not align to the experiences of successful inner-city businesses.

Dyal-Chand describes the phenomenon discovered through her case studies as a distinct, alternative form of capitalism: businesses share key resources rather than maintaining exclusive control, and collaboration within local networks delivers economic stability where conventional competitive capitalism has failed.

She argues that these cases provide evidence that business in America can be done differently and calls for policy makers to make room for a broader range of market practices to better meet the needs of urban America.

While this book focuses on U.S. case studies, the ideas explored will be of wider interest for property scholars, both methodologically and theoretically. Its methodology deploys a form of property story-telling that is grounded in realism. While the themes and challenges she addresses are global, her approach foregrounds the experiential evidence base, set in its local context.

Although much property story-telling is woven around the exceptional circumstances of litigation, Dyal-Chand is anchored in the lived experiences of people deploying strategies that are variously supported and impeded by regulatory frameworks, successfully and unsuccessfully lobbying for legal change or negotiating with public agencies on the interpretation and application of criteria in local contexts.

Dyal-Chand demonstrates that inner-city underdevelopment cannot simply be understood as market (or individual) failure, but as a form of regulatory failure. Systems of laws, institutions and relationships that appear to work well elsewhere are not well suited to the context of the inner city. (P. 55.) Dyal-Chand draws out a model for a different kind of capitalism—based on local collaborative networks—that appears better suited to inner city economies. She reflects on the types of legal and institutional infrastructure that would support this model and offers a wide range of recommendations for practical measures in law and regulation to support collaborative capitalism, with the potential for increasing economic stability for workers and businesses in the urban core.

In doing so, Dyal-Chand has opened up a new frame, not only for urban market regulation but for property discourse. By focusing on property not as a rights-problem but as a resource-problem, Dyal-Chand offers us a genuinely different view of the cathedral, one that effectively transcends the deadlock of contemporary property-rights discourse.

The book closes by citing Erik Olin Wright's conceptualization of "real utopias," described as "grounded in the real potentials of humanity, utopian destinations that have pragmatically accessible way stations, utopian designs of institutions that can inform our practical tasks of muddling through in a world of imperfect conditions for social change."³

Dyal-Chand's vision for economic stability in America's urban cores is grounded in real potential, and her approach offers an interesting model for scholars seeking to tackle property-resource questions in pragmatic, utopian ways.

1. Daniel B. Kelly, *The Right to Include*, 63 **Emory L.J.** 857 (2014).
2. Rashmi Dyal-Chand, *Sharing the Cathedral*, 46 **Conn. L. Rev.** 647 (2013).
3. Eric Olin Wright, *Preface*, **Deepening Democracy: Institutional Innovations in Empowered Participatory Governance** (2003).

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