

8

VOLUNTARY SIMPLICITY AND THE SOCIAL RECONSTRUCTION OF LAW

Degrowth from the grassroots up

The inner crisis of our civilisation must be resolved if the outer crisis is to be effectively met.

– Lewis Mumford

1. Introduction

Degrowth scholars and other growth sceptics have done a considerable amount of important work exposing the many defects inherent to the dominant macroeconomics of growth (Kallis, 2011; Latouche 2009; Jackson 2009; Victor 2008; Daly 1996). In recent years a growing body of literature has also emerged exploring what structural changes could be undertaken to facilitate the emergence of a degrowth or steady state economy (Alexander 2011a, Jackson 2009; Hamilton 2003). Very little has been written, however, on what role social or cultural evolution may need to play in providing the necessary *preconditions* for such structural change. The neglect of this issue is problematic for two main reasons. First, it seems highly unlikely that a degrowth or steady state economy will ever arise voluntarily within cultures generally comprised of individuals seeking ever-higher levels of income and consumption (Hamilton and Denniss, 2005). Accordingly, before growth economics can be overcome, this significant cultural obstacle must be acknowledged, confronted, and somehow transcended. Secondly, even if notions of degrowth or steady state economics were to gain widespread acceptance within a culture, it seems highly unlikely that a degrowth or steady state economy would arise voluntarily unless people had some idea of what needed to be done at the personal and

community levels to bring about such an economy (Trainer, 2010; Hopkins, 2008). In other words, it is not enough merely to offer a critique of existing *structures* of growth; it is equally important to explore the question of *how one ought to live* in opposition to those structures. This chapter engages some aspects of these complex issues by looking into what role social movements may have to play in creating the preconditions needed for a degrowth or steady state economy to materialise. More specifically, this chapter examines the potential of the Voluntary Simplicity Movement to socially reconstruct law to that end.

1.1. *The Voluntary Simplicity Movement in geographical and theoretical context*

The Voluntary Simplicity Movement (hereafter, the Simplicity Movement) can be understood broadly as a diverse social movement made up of people who are resisting high consumption lifestyles and who are seeking, in various ways, a lower consumption but higher quality of life alternative (Alexander, 2011b; Grigsby, 2004). Participants in this movement generally seek to ‘downshift’ the level and impacts of their material consumption, while at the same time aiming to create for themselves an alternative conception of ‘the good life’ in opposition to the Western-style consumerist ideal. This living strategy typically involves transferring progressively more of one’s time and energy away from materialistic sources of satisfaction (e.g., money, assets, possessions, etc.) toward non-materialistic or post-consumerist sources of satisfaction (e.g., social relations, community engagement, creative activity, home-based production, self-development, spiritual exploration, relaxation, etc.). Because this lifestyle implies the privilege of choosing one’s standard of living, the Simplicity Movement arises, by and large, within the affluent Western nations where such a choice is most widely available, and those are the broad geographic locations toward which the analysis in this chapter is directed.

While the practice and values of voluntary simplicity take many forms, and are always context-dependent and evolving, prominent simplicity theorist David Shi (2007: 3), has suggested that some of the primary attributes of the Simplicity Movement include: thoughtful frugality; minimising expenditure on consumer goods and services; a reverence and respect for nature (and its limits); a desire for self-sufficiency; a commitment to conscientious rather than conspicuous consumption; a privileging of creativity and contemplation over possessions; an aesthetic preference for minimalism and functionality; and a sense of responsibility for the

just uses of the world's resources. More concisely, Shi defines voluntary simplicity as 'enlightened material restraint' (2007: 131). Variousy defended by its advocates and practitioners on personal, communitarian, humanitarian, and ecological grounds, the Simplicity Movement seems to be predicated on the assumption that human beings can live meaningful, free, happy, and infinitely diverse lives, while consuming no more than an equitable share of nature (Alexander, 2009).

It is difficult to establish precisely the size of this movement, however the largest empirical study in this area (Alexander and Ussher, 2012) has presented a case that as many as 200 million people in the developed world could be embracing lifestyles of voluntary simplicity. This study does acknowledge, however, that there will be a wide diversity of lifestyles within this large group, with some participants taking relatively minor steps to downshift and others taking more radical steps. Nevertheless, if these people are connected by their attempt to reduce or restrain their consumption – and if they also *feel* connected – then together they are a social movement of considerable collective power and political import, potentially, at least (see also, Holmgren, 2013).

The central argument of this chapter is that the Simplicity Movement (or something like it) will almost certainly need to expand, organise, radicalise, and politicise, if anything resembling a degrowth or steady state economy is to emerge in law through democratic processes. That is the 'grassroots' or bottom-up theory of structural transformation that will be expounded and defended in this chapter. The essential reasoning here is that legal, political, and economic structures will never reflect a post-growth ethics of macroeconomic sufficiency until a post-consumerist ethics of microeconomic sufficiency is embraced and mainstreamed at the cultural level. Conversely, a microeconomics of 'more' will always generate, or try to generate, a macroeconomics of 'growth'.

Law was chosen as the site of engagement for this chapter, not because it is the only place where a 'politics of simplicity' could emerge, but because it is a site of particular importance. Our consumption decisions do not take place in a vacuum. Rather, they take place within *structures of constraint*, and those structures make some lifestyle decisions easy and others difficult or impossible. To provide but two examples: it is very difficult to escape car culture in the absence of good public transport or safe bike lanes; and it is very difficult to 'vote with your dollar' in the absence of laws that require adequate product labelling. The point is that if we were to change the structures, different lifestyle options would emerge, and legal change is obviously one very powerful means of changing social, political, and economic structures.

Politicising voluntary simplicity through legal change, however, might strike some as paradoxical, in the sense that anything mandated by law does not sound very ‘voluntary’. The argument being presented, however, is not that simplicity of living should be *imposed* on people, but that simplicity, rather than consumerism, should be systematically privileged, supported, and encouraged when making decisions about how to structure society (see also, Alexander, 2011b).

The background theoretical framework within which this chapter is situated is that of ‘social constructionism’, a position, or variety of positions, which holds that the meaning of concepts, including legal concepts, is the product of evolving social practices and values rather than a reflection of an unchanging, objective reality (Wittgenstein, 1953; Berger and Luckman, 1966; Barnet, 1993). While there are highly abstract philosophical issues surrounding social constructionism (Fish, 1989; Rorty, 1979), the analysis of this chapter begins by questioning how and why, as a practical matter, socially constructed legal concepts acquire meaning, and how and why those meanings change. In examining these issues the analysis looks to the emerging scholarship surrounding law and social movements (McCann, 2006a). In various ways this socio-legal literature explores how social movements in any given society have impacted or could impact on the legal system to bring about structural change. Drawing on that literature and developing it, the preliminary argument of this chapter is that law can be understood, to a large extent, as a reflection of social values and assumptions, such that social or cultural evolution tends to induce legal evolution. (I will use the terms ‘social’ and ‘cultural’ interchangeably in this chapter to refer broadly to the aggregation of personal values, behaviours, and relationships in a society.) In more theoretical terms, the basic argument is that if legal concepts are ‘social constructs’, then social movements can be understood as a mechanism through which legal concepts are socially constructed and reconstructed. As critical jurist Roberto Unger (2001) has argued, any transformative politics of law needs to be complemented, if it is to succeed, by a cultural revolution in personal and social relations. This conclusion, so far as it is true, suggests that legal, political, and economic reformers – including, or especially, radical reformers – should carefully consider not only what cultural conditions would best facilitate the realisation of their transformative programmes, but also what role social or cultural movements might have to play in producing those conditions (see Alexander, 2014).

Before beginning the substantive analysis, there are two terminological issues that require clarification in order for this

chapter to be correctly understood. The first concerns the term ‘reform’, which I use to refer to deep structural change, not merely ‘tinkering’ with the existing system. That is, I am interested in exploring how the Simplicity Movement could radically reshape the structures of a growth-orientated, consumer society, not merely soften the edges. The second terminological issue concerns the word ‘law’, which I ask readers to interpret broadly. While my primary focus in this chapter is on the conventional understanding of ‘law’ as referring to rules produced by the judicial, legislative, or executive branches of government, I feel much of the analysis could also apply to social rules and customs more generally, as they also have a structuring role in how we live. So even an anarchist, for example, who rejects the strategy of seeking ‘top down’ transformations facilitated by the state, can still read this analysis as arguing that the restructuring of society by local, self-governing communities will still depend on a culture that wants such restructuring. In other words, even the ‘laws’ or ‘social rules’ of a self-governing anarchist community will inevitably be shaped by its culture, and that relationship between culture and structure is the central theme of this chapter.

2. Law and Social Movements

‘This abstraction called Law,’ Justice Oliver Wendell Holmes, Jr. once observed, ‘is a magic mirror, [wherein] we see reflected, not only our own lives, but the lives of all men that have been!’ (Holmes, 1891: 17.) Building upon this insight, celebrated legal historian, Kermit Hall, developed a conception of law as a ‘magic mirror’, that is, as a reflection of culture that offers historians an opportunity to explore the social choices and moral imperatives of previous generations (Hall, 2009). Consistent with social constructionist theory, though without being framed in such terms, Hall (2009: 2) argued that law ‘is indeed a cultural artefact, a moral deposit of society. Because its life stretches beyond that of a single individual, its meaning reaches the values of society’. Although Hall correctly acknowledged that law both affects and is affected by the social order – indeed, that law can both change and reinforce the social order – his theory of law is characterised predominately by how it describes ‘the rapidity with which changes in the general culture penetrated the legal system’ (Hall, 2009: 341). Meticulously researched and robustly argued, Hall’s primary conclusion is that a legal system ‘is more like a river than a rock, more the product of social and cultural change than the molder of social development’

(2009: 383). This chapter builds upon Hall's thesis that law is more the product of social and cultural change than the reverse.

It should be acknowledged from the outset, however, that 'law reflects culture' is a contestable and, in many ways, overly simplistic proposition, especially when stated so bluntly. Law, rather than being shaped by culture in a unidirectional way, sometimes takes the *lead* in social development and is influenced by forces *other* than cultural values (Sarat, 2004). Nevertheless, for reasons to be explained, lawmakers (whether judges or politicians) have little option but to respond to significant changes in cultural values, and on that basis it will be argued that cultural forces (including social movements), while not the exclusive source of law, are indeed one of its primary sources (Rosen, 2006). This is especially so in democratic societies where, in ways elaborated on below, political parties have a powerful incentive to follow shifts in culture so as not to alienate the voting citizenry upon whose support their power and legitimacy depends.

Hall's conception of law and legal history is of interest not so much for its historical component but for what it implies about law today and in the future. If Hall is correct that the substance and structure of legal systems have changed over time, 'reflecting the values and assumptions of past generations' (2009: 379), it would seem to follow that the future of law depends upon the values and assumptions of present and future generations. Within this framework, today's growth-based economies can be understood as a reflection of the dominant values and assumptions of today's consumerist culture (Schor, 2000). That is, if most individuals in advanced capitalist societies want 'more' then, naturally, those legal systems will tend to be structured to 'grow' (Alexander, 2011a). Hall's theory implies, however, that if those cultural values and assumptions were to change, this would likely induce changes to law. Put otherwise, the idea is that changes in cultural values will tend to precipitate the emergence of new laws and the application of existing laws in new ways to new contexts. This is because social movements are part of what creates social meaning, and socially constructed understandings of the world inevitably become reflected in the technical construction and application of law's commands (Torres, 2009).

This close relationship between law and culture is why I maintain that the Simplicity Movement will need to enter the cultural mainstream and radicalise to some significant extent if there is to be any hope of a degrowth or steady state economy being realised (or reflected) in law. In other words, the legal structure of a 'macroeconomics of sufficiency' depends for its realisation upon the cultural embrace of a 'microeconomics of sufficiency.' Accordingly, I

put forward the Simplicity Movement as a social movement of fundamental importance to the related projects of degrowth and steady state economics. For reasons to be canvassed below, however, the Simplicity Movement does not fit neatly into the existing literature on law and social movements and, therefore, in many ways it needs to be considered in its own light.

2.1. *What is a social movement? Sketching the boundaries of an idea*

Before going any further it is worth clarifying the term ‘social movement’, which scholars have defined in various, often overlapping, ways. An exact definition is not necessary for present purposes, but some clarification is needed for the discussion to proceed. Sidney Tarrow’s oft-cited definition holds that social movements are ‘groups possessing a purposive organisation, whose leaders identify their goals with the preferences of an unmobilised constituency which they attempt to mobilise in direct action in relation to a target of influence in the political system’ (Tarrow, 1983: 7). Charles Tilly, a political scientist, adds to this understanding, proposing that a social movement is a sustained series of interactions between power-holders and persons speaking on behalf of a constituency that lacks formal representation, ‘in the course of which those persons make publicly visible demands for changes in the distribution or exercise of power, and back those demands with public demonstrations of support’ (Tilly, 1984: 306). More recently, another helpful definition has been provided by socio-legal theorist Cary Coglianese (2001: 85), who writes:

A social movement is a broad set of sustained organizational efforts to change the structure of society or the distribution of society’s resources. Within social movements, law reformers typically view law as a resource or strategy to achieve desired social change. Since social change is the purpose of a social movement, law reform generally is taken to provide a means of realizing that goal.

Finally, for present purposes, there is the further clarification provided by Michael McCann, who states that ‘social movements aim for a broader scope of social and political transformation than do more conventional political activities. While social movements may press for tangible, short-term goals within the existing structure of relations, they are animated by more radical aspirational visions of a different, better society’ (McCann, 2006a: xiv). McCann (1998) also claims that social movements tend to

develop through four broad phases, namely: (1) initial group identity formation, consciousness raising, and movement organising; (2) early battles to win recognition by dominant groups or to get on the public agenda; (3) struggles of policy development and implementation; (4) eventual movement decline, transformation, ‘hibernation’, or rebirth.

It is suggested that the development of the Simplicity Movement is at most in transition between phases (1) and (2), although the extensive multi-national study noted above has shown that there are signs of a heightened political sensibility and ‘group consciousness’ developing within the movement (Alexander and Ussher, 2012). This development could prove to be self-propelling and draw more people into its current, as most people seem to place considerable importance on being socially accepted, as being ‘normal’ and ‘part of the group’, rather than being seen as ‘abnormal’, ‘radical’, or ‘pathological.’ If the Simplicity Movement continues to expand, therefore, more people will come to see that voluntary simplicity lifestyles are increasingly an accepted lifestyle within the mainstream. Consequently, any prejudice that the Simplicity Movement is ‘just for hippies’ should fade, as would the very distinction between this counter-culture and mainstream culture.

2.2. Social movements and the mobilisation of law

Social movements often employ a wide range of tactics to advance their causes, including public education, media campaigns, and social networking, as well as disruptive ‘symbolic’ tactics which are intended to halt or upset social practices, such as protests, marches, strikes, and the like (McCann, 2006a: xiv). As the definitions above outlined, however, more developed social movements generally seek to make an impact not only in the social sphere but also a structural impact in the political and legal spheres, and such structural impact depends in a large part on being able to mobilise law for the movement’s causes. This is not always (or ever) a unidirectional process, however, but a dialectical one, in the sense that social movements affect law while law can also affect social movements. On this point Susan Coutin has argued that social movements ‘shape (or attempt to shape) the path of law, even as such pathmaking can redefine social reality in ways that, in turn, redefine causes and reshape activism’ (Coutin, 2001: 101).

It is also important to recognise that law and legal institutions can cut both ways, serving as resources both to challenge the existing order and to fortify the status quo against challenges

(McCann, 2006a: xx). Law has long been recognised as having a legitimising or mystifying effect on the existing order (Marx, 1983; Balkin, 2008), colouring it at times with what Roberto Unger (2001) aptly terms ‘false necessity’. Just as clearly, though, legal history is replete with examples of social movements having successfully used law as a tool to generate genuinely revolutionary reform – at times, even, over a relatively short timeframe. Joel Handler, in his pioneering text *Social Movements and the Legal System: A Theory of Law Reform and Social Change*, discusses the social movements associated with environmentalism, consumer protection, civil rights, and social welfare (Handler, 1978). All these areas featured social movements that included, as a central aspect of their programme, the creation of new laws or the reform of existing ones. The US Civil Rights Movement, in particular, provides one of the clearest and most striking case studies on this subject, since it had both judicial effects (e.g., *Brown v Board of Education*) and legislative effects (e.g., Civil Rights Act 1964) of arguably unprecedented proportions. It is all the more striking since the massive legal restructuring generated by this particular social movement was ignited by seemingly inconsequential acts in the social sphere, such as when Rosa Parks refused to give up her seat on the bus.¹

Participants in social movements are correct to perceive the judicial process as one of the main mechanisms for legal reform. As Justice Sackville of the Australian Federal Court puts it, ‘Courts, like all institutions of government, have no option but to respond to social change.... Changes in community values... quickly permeate legal doctrine’ (Sackville, 2005: 375). Indirectly, social movements can affect how judges decide cases simply through the fact that social movements are a part of what constitutes and shapes culture, and judges themselves are inevitably shaped and influenced by the culture in which they adjudicate. Put otherwise, even if law is not directly mobilised by a social movement, arguments that may have been persuasive in court in the past (e.g., arguments based on race, gender, or sexual orientation, etc.) may not be so persuasive today as a result of social movements impacting on culture, including legal

¹ Of course, one must be wary of exaggerating the significance of the role Rosa Parks, as an individual, played in the Civil Rights Movement; but the point remains that it was an act of opposition in the social sphere – an example of innumerable acts, really – that helped spark the Civil Rights revolution in legal relations. It is also worth acknowledging the role that cases such as *Brown* played as a catalyst for social changes which, in turn, led to further legal changes.

culture. In this way, as Edwin Rubin argues, 'the social sphere is... an important source of law' (Rubin, 2001: 11).

In a more direct fashion, however, social movements can influence law and the judicial process by proactively initiating legal proceedings themselves and forcing the judiciary to reconsider or take a stand on issues that may otherwise have been left sleeping. As Justice Sackville, again, notes, 'social change generates new legal issues requiring resolution by the courts' (Sackville, 2005: 375). This more direct mode of influence has been the primary interest of current literature on law and social movements, which has focused on the role activist attorneys or 'cause lawyers' play in furthering the interests of social movements (Sarat and Scheingold, 2006). Since law is notoriously comprised of indeterminate concepts and often contradictory principles (Singer, 1988), cause lawyers acting in the name of social movements can initiate judicial proceedings to challenge existing interpretations of legal principles or concepts in order to redefine entitlements and formulate new aspirations for collective living. Although this approach has very real limitations and constraints, it is a matter of historical fact that 'law can serve as a useful site for articulating and advancing alternative visions of the good' (Sarat and Scheingold, 2006: 9).

As well as mobilising the judicial process, social movements can also seek to mobilise the legislative process to advance their alternative visions of the good (Hutton and Connors, 1999; Dalton, 1994). The reasoning here, as outlined by Kristian Ekeli, is quite simple: 'Political parties will in many cases have a strong incentive not to take a position that deviates too much from the preferences of their voters, in order not to be punished during the elections' (Ekeli, 2005: 431). It follows that if those social preferences change and/or their advocates become more vocal and influential, the prospect of mobilising the legislature increases, since politicians will have an incentive to reconsider the priorities of their constituencies and act accordingly, or else risk losing office. In this way, as other scholars have correctly noted, '[t]he law's power depends on the values, beliefs, and behaviour of individuals' (Marshall and Barkley, 2003: 622). Since social movements are made up of innumerable, seemingly insignificant acts of individuals, those individual acts can be understood to socially construct law on account of their cumulative politico-juridical influence. This expands conventional ideas about where the authoritative commands we call 'law' originate (Torres, 2009). What this expanded perspective suggests is that social movements and other cultural forces play a larger role in the construction of law than is acknowledged by those who conceive of law merely as a politico-juridical construction promulgated from 'the top down'. To understand the process of

radical law reform, therefore – and to be able to develop effective strategies for law reform – attention must be paid to the influential (but often unnoticed) forces that shape law from the bottom up.

While no socio-legal theorists suggest that social movements are the *only* forces that shape law, those cited above are surely correct to insist that their powerful influence and impact cannot be denied. What Rubin, Hall, Coglianesi, and other theorists argue is that ‘changes in society’s values and public opinion can feed back into the legal system and affect the prospects for law reform and enhance the effective implementation of legislation’ (Coglianese, 2001: 86). Not only that, ‘law reform efforts themselves may have an impact on public opinion, with action by courts and other legal institutions sometimes lending legitimacy to the claims advanced by social movements’ (Coglianese, 2001: 86). The legal system, therefore, can be used both to enlarge opportunities for grassroots collective action and to consolidate any achievements. In these ways law reform efforts by social movements can function both as a club and a catalyst for structural transformation.

3. Uniqueness of the Simplicity Movement and the Implications for Structural Change

It was noted earlier that the Simplicity Movement does not fit neatly into the conceptual frameworks commonly used for thinking about law and social movements. One reason for this is that social movements tend to be conceptualised (often with every justification) as subordinate or excluded groups in society seeking increased empowerment, recognition, and respect through social struggle. Obvious examples, particularly in the US, are the Civil Rights, Women’s Rights, and Gay Rights movements. The Simplicity Movement, however, cannot be placed coherently into this category, since the very act of voluntarily reducing consumption and production generally implies a certain position of privilege and material security in society, which subordinate or excluded groups typically (though not necessarily) lack. As David Shi remarks, ‘By its very nature... voluntary simplicity has been and remains an ethic professed and practiced by those free to choose their standard of living’ (Shi, 2007: 7).

It is not clear, however, exactly what implications this may have for any law reform efforts arising out of the Simplicity Movement. One negative implication might be a relatively diminished sense of social solidarity within the Simplicity Movement, at least in the sense that participants may not be driven together by a deep and immediate sense of personal or social injustice which historically

gave intense motivational fire to other movements, such as Civil Rights, Women's Rights, and Gay Rights (Capeheart and Milovanovic, 2007). Indeed, one criticism levelled at the Simplicity Movement has been its tendency, historically, at least, to be apolitical (in the narrow sense of not engaging significantly in top-down reform activity). A lack of passionate solidarity among participants might explain this, however it would be wrong to jump to conclusions here. After all, the various strains of the Environmental Movement (Doherty and Doyle, 2008) do not fit obviously into the category of subordinate/excluded groups – many of the participants are well educated and middle-class (even if the environmental 'cause' itself remains subordinate) – and yet environmental activists are notoriously as passionate, driven, and committed as any (Wall, 2005; Manes, 1990). In fact, the environmentalist sensibility within the Simplicity Movement may provide it with all the motivational intensity it needs, since the various ecological crises are arguably the greatest challenges humanity has ever faced (Hansen, 2011; Heinberg and Lerch, 2010). Looking at the uniqueness of the Simplicity Movement from a very different and more positive perspective, however, the fact that the movement arises out of relatively privileged socio-economic circumstances may actually prove to be to its advantage, in that there may be fewer hurdles to overcome should it seek to access or influence legal and political processes for the purposes of structural reform.

These points suggest that the social movement which most closely resembles the Simplicity Movement, and which might shed some light on it, is the Environmental Movement (Rootes, 1999). This heterogeneous movement has contributed to considerable changes in law and social values over the last few decades, as Coglianese (2001: 109) writes: 'Legal reform, if it is to have an enduring impact, needs to be accompanied by a genuine change in public values. Broad public support for the environment has helped to sustain the nation's basic institutional commitment to the environment as reflected in contemporary law.' Furthermore, he adds, '[j]ust as the legal system helps sustain environmentalism during periods of public inattention, the system of environmental law is itself sustained by a broad social consensus in favour of environmental protection and by a latent environmentalism that stands ready to be activated by environmental groups' (Coglianese, 2001: 116). He sums up his central conclusion neatly in the following passage:

[L]aw reform is not simply a tool for changing society; rather, law reform is itself affected by society and its nonlegal norms and

values. To be successful, social movement reformers need not only seek changes in the law but changes in public values too. In the absence of direct changes to society's values, law reform efforts could prove at worst vacuous or at best vulnerable to counterattack or atrophy over time (Coglianese, 2001: 116).

In the context of this chapter, the significance of this conclusion lies in how it exposes the need for law reformers to pay attention to social values as a necessary part of law reform efforts. Social movements clearly need law reform to help achieve their goals of social change, but 'law reform itself needs a supportive social and political climate if it is to maintain its viability and effectiveness over time' (Coglianese, 2001: 116). This point draws attention to the 'reactive' rather than 'proactive' nature of liberal democracies, as the following passage explains (also in the context of the Environmental Movement): 'Political parties are just a reflection of their society... Political parties will only behave in a more environmental fashion from the moment that the average citizen will do so and not in the reverse order' (De Geus, 2003: 25, quoting Dick Tommel). This is no doubt the kind of reasoning which led Robyn Ekersley (1992: 17) to assert that 'the environmental problematic is a crisis of culture and character'. More generally, the various problems of growth economics could be characterised in much the same way, suggesting that the cause of and the solution to those problems may lie primarily – at least, initially – in the social sphere. This is not to deny, of course, the necessary role law will need to play in any transformative politics; it is only to propose that transformative change in the legal, political, and macroeconomic spheres will depend, ultimately, on a social sphere that deems such change necessary and legitimate.

A second factor that distinguishes the Simplicity Movement from most literature on law and social movements is that it does not imply – at least, not obviously – a political agenda. It may be obvious that it *needs* a political agenda, but even if that is so it is much less obvious what such an agenda would look like. Contrast this with other movements. The politics of the early Women's Rights movement, for example, obviously called for such structural changes as the right to vote; the Civil Rights Movement obviously called for desegregation, among other things; the Gay Rights Movement obviously called for the decriminalisation of homosexuality, etc (Rodrigues and Loenen, 1999). Although it can be argued that deeper and less apparent structural biases did and still do discriminate unjustly against these groups, the present point is that as those groups were forming into social movements there were at

least some political changes to focus on that were quite clearly implied from the outset by the nature of the movements themselves.

As noted above, however, it is not immediately obvious what transformative politics is implied by the Simplicity Movement. I would suggest that this is primarily due to the highly problematic nature of one of the Simplicity Movement's defining concerns, namely, reducing and changing consumption habits in affluent societies (Segal, 1999). As Albert Lin notes, '[t]ackling the problems posed by consumption quickly entangles one in questions of lifestyle choices and equity' (Lin, 2008: 476). According to liberal theory and neoclassical economics, consumption is generally conceived of as a matter of 'private preference', an area of life in which individuals make their own decisions in the marketplace free from politico-judicial mandates. As Tim Jackson (2003: 64) observes:

There has been a tendency in conventional policy to assume that government should play as little role as possible in regulating or intervening in consumer choice. The doctrine of consumer sovereignty has dominated both economics and politics for several decades.

From that liberal/economic perspective, reducing or changing consumption habits may or may not be a requirement of morality or ethics, but it is certainly not an area that should be governed by law. In other words, the mainstream liberal/economic position is that lawmakers should not seek to shape or govern private preferences as expressed in the market; rather, lawmakers should be neutral in regard to consumption by taking private preferences as 'given'. That conception of market consumption may well need to be rethought if there is ever to be a politics of voluntary simplicity, a politics of consumption.

Fortunately, some of the background analysis on this point has been canvassed elsewhere, by theorists who have argued at length that law (including property and market structures) cannot be neutral, as such, but are always and necessarily value-laden (Singer, 2000; Robertson, 1997). On that basis I would argue that the prospect of a politics of voluntary simplicity should not be dismissed in advance simply on the grounds that it would be non-neutral with respect to its effects on consumption habits (since every legal regime is non-neutral). But even if that theoretical point is accepted, that does not say anything about what concrete politics of consumption is actually implied by the Simplicity Movement. Once again, this lack of clarity distinguishes the Simplicity Movement from those other social movements which seemed to have at least a preliminary political agenda implicit in their very natures. For these reasons I

contend that the Simplicity Movement should dedicate much more attention to formulating a coherent political agenda, partly as a means of fostering increased ‘group consciousness’ and partly as a means of amplifying the movement’s political sensibility. That task of formulating a politics of voluntary simplicity is explicitly taken up elsewhere (Alexander, 2011a), where the radical transformation of private property/market systems is explored with the aim of outlining a transition by way of degrowth to steady state economy. That vast subject cannot be explored in detail here, however, although it is touched on in the conclusion. In what remains of this chapter I present a more detailed statement of the relationship between the Simplicity Movement and a degrowth or steady state economy, for the central argument being advanced in this chapter is that the Simplicity Movement will need to expand and organise at the social level if any such economy is to emerge.

4. Degrowth from the Grassroots Up: The Promise and Potential of the Simplicity Movement

This chapter began by arguing that law is a social construct. It did so in the context of law and social movement literature with the aim of showing how and why changes in a society’s culture quite directly lead to changes in law, and in ways that are not always obvious or widely acknowledged. From the premise that ‘law reflects culture’ it is only a small step further to see that culturally induced changes in law inevitably impact on political and economic structures too, given that those structures have legal foundations, or, at least, are framed and secured by the force of law (Kennedy, 1991; Kennedy, 1984). These issues deserve attention because if the relationship between law and culture is not understood, precious time, energy, and resources can be easily wasted on ineffectual or misguided strategies of transformation. The motivating concern of this chapter was to draw more attention to what role cultural evolution might need to play in providing the necessary *preconditions* for a degrowth or steady state economy.

Having outlined the socially constructed nature of law and legal reform, the underlying argument of this chapter can now be restated: A degrowth or steady state economy will depend for its realisation on the emergence of a post-consumerist culture, one that understands and embraces ‘sufficiency’ in consumption (Princen, 2005). Those who question the soundness of this thesis need only try to imagine a voluntary transition to a degrowth or steady state economy occurring within a culture generally comprised of individuals who seek ever-higher levels of income and consumption.

It is impossible to imagine, I would suggest, because it entails a fundamental contradiction in economic trajectory. Therefore, with respect to the affluent societies, at least, degrowth depends on voluntary simplicity. The analysis above aimed to expose the theoretical foundations of that relationship of dependence by outlining the close but often obscure relationship between law and culture.

This argument, however, must not be misunderstood. The argument is not that personal or grassroots action can ‘change the world’ without any need for significant structural transformation – far from it. The pro-growth structures of advanced capitalist societies (Purdey, 2010) make transitioning to a simpler lifestyle of reduced consumption very challenging, and to some extent, in certain ways, almost impossible (Alexander, 2011b). For example, people might find it extremely hard to escape ‘car culture’ at the personal level without safe and accessible bike paths. This is one of countless structural obstacles lying in the path of ‘simpler lifestyles’, and often top-down transformative reform and investment is needed for such obstacles to be transcended. Personal action alone, therefore, will never be enough.

The limitations of personal action alone, however, are not simply due to current structures opposing lifestyles of voluntary simplicity. It may also be the case that the initial ecological benefits of reduced consumption are quickly eliminated by the ‘sufficiency rebound effect’, which Blake Alcott (2008: 775) describes as follows: ‘some of what was “saved” through non-consumption is consumed after all – merely by others’. So far as this rebound effect exists, simple living is unlikely to be an effective response to the ecological problems of overconsumption in the absence of structural change. Accordingly, there is little doubt that structural change by way of legal, political, and economic reform is a *necessary* part of any transition beyond growth capitalism.

The point I am arguing – and it is a point that theorists like Alcott (2008) seemingly fail to appreciate – is that such structural change will almost certainly not eventuate unless it is accompanied and probably preceded by a widespread cultural shift in attitudes toward consumption, such as that being advocated and explored in practice by the Simplicity Movement today. For even if the ‘sufficiency rebound effect’ exists to some extent, this would not mean people should not seek to live simpler lives of reduced consumption. To adopt a lifestyle of voluntary simplicity is to live in opposition to the cultures of consumption that give shape (and are shaped by) the pro-growth structures of advanced capitalism. Only by changing those cultures of consumption, I conclude, is there any

hope of transcending and socially reconstructing those pro-growth structures.

Any such process of social reconstruction will need to entail innumerable personal acts of ‘material simplification’ or ‘downshifting’, acts which might seem insignificant in isolation but which cumulatively have the potential to be of revolutionary import. The primary justification for such personal acts, I wish to emphasise, is not due to the immediate good such downshifting may produce. Rather, the importance of a culture of downshifting lies in how such a culture is a precondition for the deep restructuring of society that is necessary. Transgressive, personal acts must become the building blocks of a strong counterculture – a counterculture that votes consistently with its time and money, and which also sends clear messages through the ballot box. Should this grassroots uprising enter the mainstream, including the political mainstream, it will inevitably put increasing amounts of pressure on the structures of growth capitalism. Over time, I contend, those pro-growth structures will end up so thoroughly disfigured, weakened, dismantled, reshaped, and reconstructed that something very different – something much better, more resilient, and more beautiful – will come to stand in its place. That, at least, is a future one might dare to hope for when enjoying the respite of an optimistic mood (Alexander, 2011c).

4.1. *Globalisation, resistance, and the problem of ‘Empire’*

There is one final point that deserves some comment, even if space does not permit a detailed examination. The age of globalisation is upon us, and it could be that any attempt to realise a degrowth or steady state economy will face forms of resistance today that may not have been faced as recently as 50 years ago. We could call this the problem of ‘Empire’ (Hardt and Negri, 2000). Not only are nation-states today constrained by numerous international trade agreements and influenced by powerful global institutions, but the free flow of capital around the globe has given new power to transnational corporations which can now move their financial resources from country to country with unprecedented ease (Stiglitz, 2002). A strong case can be made that this has led to economic forces becoming more autonomous from political controls, and consequently that political sovereignty has declined (Sassen, 1996). But as Hardt and Negri (2000: xi) have argued, ‘*The decline in sovereignty of nation-states... does not mean that sovereignty as such has declined.*’ Sovereignty, they argue, has just taken on a new, globalised form – the form of ‘Empire’ – which can

be understood as a decentralising and deterritorialising apparatus of power which is ‘composed of a series of national and supranational organisms united under a single logic of rule’ (Hardt and Negri, 2000: xii). The logic of rule to which they refer, of course, is the globalised logic of profit maximisation.

Could it be that the materialisation of ‘Empire’ means that it would be impossible for one nation-state to transition to a degrowth or steady state economy without either violating international trade agreements or inducing, almost instantaneously, the mass exodus of capital? (Victor, 2008: 221-2). Although I cannot respond to the problems of Empire in any detail, I can indicate a response, and it is a response that returns us to the central normative ideas of this chapter, namely, voluntary simplicity and the grassroots theory of structural transformation. If indeed it is so that Empire is slowly but steadily emasculating the nation-state, such that it is becoming progressively less likely that post-growth structural transformation will ever originate from the top down, then it follows, perhaps necessarily, that true opposition to Empire and the forces of globalisation may only be possible today if it is driven from the grassroots up (Lindholm and Zuquete, 2010; Curran, 2007). What could defy the profit-maximising logic of Empire more fundamentally than a large, oppositional social movement based on the living strategy of voluntary simplicity? What could challenge the rule of capital more directly than thousands upon millions of people militantly embracing, yet at the same time celebrating, the tantalising paradox that less is more?

Although still in their infancy, the fast-expanding Transition Initiatives associated with Rob Hopkins (2008) are perhaps the most notable contemporary example of this type of grassroots action. These initiatives are primarily a response to the dual crises of peak oil and climate change (Heinberg and Lerch, 2010), but obviously there is much overlap here with the Simplicity Movement’s primary concern with overconsumption. Furthermore, the Transition Initiatives exemplify quite well the power dynamics between personal change, social change, and structural change that this chapter has been considering. Those involved in Transition Initiatives often find themselves drawn into community engagement by their own sense that things must change, and by joining such initiatives the individual strengthens the social current, and in turn this draws others in too, which strengthens the current further, and thus a ‘snowball effect’ is created. Rather than waiting for the state to act, however, Transition Initiatives just get to work, decarbonising their own economies by relocalising them. Community gardens are often one of the first community projects undertaken by such initiatives, and such projects might involve resisting development

projects that were intended, say, to turn a vacant plot of land into a new mall. In ways such as this, Transition Initiatives engage with structure, and to the extent they succeed their impact on structures can resonate beyond immediate intentions – for example, by weakening the economic might of agri-business, opening up further space for individual and social change, or by making farmers’ markets more competitive, which can then produce further structural change, and so forth. Deserving of more attention by critical scholars and activists alike, these power dynamics are complex and always dialectical, but they are suggestive of ways that current structures can be resisted, destabilised, and overcome from the grassroots up.

Although framed in different terms, this is an approach that Hardt and Negri, the pre-eminent theorists of *Empire*, make themselves:

Militancy today is a positive, constructive, and innovative activity. This is the form in which we and all those who revolt against the rule of capital recognize ourselves as militants today.... This militancy makes resistance into counterpower and makes rebellion into a project of love (Hardt and Negri, 2000: 413).

Significantly, it is in the life of St Francis of Assisi – one of the most radical and inspirational figures in the history of voluntary simplicity – where Hardt and Negri (2000: 413) discover ‘the ontological power of a new society.’ They conclude their text with a message both of hope and opposition – or rather, hope *in* opposition – a message which is reproduced here in sympathy: ‘Once again in postmodernity we find ourselves in Francis’s situation, posing against the misery of power the joy of being. This is a revolution that no power will control...’ (Hardt and Negri, 2000: 413).

While the problem of ‘*Empire*’, then, must be recognised as a real one, there is a sense in which the very nature of the problem provides further validation for the defining commitment of this chapter to a grassroots theory of legal transformation based on the oppositional living strategy of voluntary simplicity. The logic of justification here is quite simple, even if its implications are not: so far as the power of one’s political representatives is taken away (or misused), one’s individual political responsibility increases. As Hardt and Negri suggest, this may be the only logic more powerful than the profit-maximising logic of capital.

It was Victor Hugo who once said, ‘There is nothing more powerful than an idea whose time has come’ (as quoted in Schultz, 1971: ix).

While there are no grounds for complacency, just perhaps voluntary simplicity is such an idea.

5. Conclusion

The grassroots or bottom-up theory of legal transformation outlined in this chapter would benefit from a more detailed and nuanced explication in the future. Assuming, however, that the general approach is sound – that the social sphere is an important source of law – one area in particular that needs more development is the *specific actions* that the Simplicity Movement could take in attempting to socially reconstruct law. This chapter framed the Simplicity Movement in the context of law and social movement scholarship, indicating that social movements can shape or mobilise law in three main ways: (1) by influencing the culture within which judges adjudicate and thereby change what is considered a legitimate interpretation of law; (2) by more directly engaging with the judicial process by initiating legal proceedings in an attempt to challenge existing interpretations of law; and (3) by using electoral votes and cultural influence to mobilise the legislative process. But although this framework for understanding the social reconstruction of law was described, a detailed programme for grassroots action was not provided, partly because any such programme would require a substantial work in its own right (Hopkins, 2008); and partly because such a programme – if it is indeed to be grassroots – needs to be locally organised and context-specific (as well as jurisdiction-specific), a task which in many ways resists any general or universalising pronouncement. Nevertheless, if the Simplicity Movement is to ‘politicise’ – with the aim, for example, of transitioning by way of degrowth to a steady state economy – then the question of how the movement can become a more significant oppositional force needs to be given much more attention by activists, educators, and scholars. The maintenance and protection of ecological integrity, on the one hand, and the redistribution of wealth and work to lessen inequalities and eliminate poverty, are some of the central policy objectives which seem to be implied by the idea of a degrowth transition to a steady state economy (Alexander, 2012). Another key policy objective (which amounts in many ways to the same thing) would be to systematically resist the uptake high consumption lifestyles and systematically encourage lifestyles of voluntary simplicity. If, for present purposes, these objectives are assumed to be the most coherent framework for a ‘politics of simplicity’, then the potential areas to promote are obviously many and diverse. Some proposals

to explore might include: (1) Establishing a Basic Income Guarantee or a Negative Income Tax in order to provide every permanent resident with a minimal though dignified standard of economic security; (2) Initiating a massive investment in renewable energy, public transport, bike lanes, energy efficiency improvements, and urban farms; (3) Funding such investments through significant inheritance taxes plus a system of progressive income or consumption taxation that culminates in a maximum wage; (4) Explicitly adopting post-growth measures of wellbeing (such as an Index for Sustainable Economic Welfare or the Genuine Progress Indicator) for the purpose of opening up space for top-down reforms that contribute to ‘genuine wellbeing’ even if they would lead to a phase of degrowth; (5) Regulating advertising more strictly; (6) Mandating better product labelling to allow people to ‘vote with their money’ more effectively; and (7) Restructuring the labour market to facilitate systematically the exchange of money for time; and so forth (Alexander, 2011a; 2012a). It is suggested that the mainstreaming of the Simplicity Movement might provide the cultural preconditions needed for this kind of structural reform to materialise. Perhaps the most important effect of such structural reform, however, is that it might open up new space to allow communities to govern themselves more directly, and build the new society within the shell of the old. That is, the primary purpose of such structural change may not be to actually drive the transition to a new society, but to liberate individuals and communities so that they can more easily drive the transition themselves, ‘from below’. This again points to the complex and dialectical relationship between culture and structure. While the short list of proposals above makes absolutely no claim to being exhaustive or uncontroversial – and no doubt it raises more questions than it answers – it is hoped, nevertheless, that this chapter as a whole is received by interested parties as an invitation to explore some of these issues in more detail.

References

- Alcott, B. 2008. ‘The sufficiency strategy: Would rich-world frugality lower environmental impact?’ *Ecological Economics* 64(4): 770-86.
- Alexander, S. (ed.). 2009. *Voluntary simplicity: The poetic alternative to consumer culture*. Whanganui: Stead & Daughters.

- Alexander, S. 2011a. *Property beyond growth: Toward a politics of voluntary simplicity*. Ph. D. Thesis, Melbourne Law School, University of Melbourne.
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1941069 (accessed 5 May 2011).
- Alexander, S. 2011b. 'Degrowth implies voluntary simplicity: Overcoming barriers to sustainable consumption'. *Simplicity Institute Report* 12b: 1-17.
- Alexander, S. 2011c. 'Looking backward from the year 2099: Ecozoic reflections on the future'. *Earth Jurisprudence and Environmental Justice Journal* 1(1): 25-59.
- Alexander, S. 2012a. 'Planned economic contraction: The emerging case for degrowth'. *Environmental Politics* 21 (3): 349-368.
- Alexander, S. 2014. 'Disruptive Social Innovation for a Low-Carbon World'. In David Humphreys and Spencer Stober (eds). 2014. *Transitions to sustainability: Theoretical debates for a changing planet*. Ch. 19: 296-315
- Alexander, S. and Ussher, S. 2012. 'The voluntary simplicity movement: A multi-national survey analysis in theoretical context'. *Journal of Consumer Culture* 12 (1): 66-86.
- Balkin, J. 2008. 'Critical legal theory today'. In Mootz, F. (ed.). *On philosophy in American law*. Cambridge: Cambridge University Press.
- Barnett, L. 1993. *Legal construct, social concept: A macrosociological perspective on law*. New York: A. de Gruyter.
- Berger, P. and Luckman, T. 1966. *The social construction of reality: A treatise in the sociology of knowledge*. Garden City, NY: Doubleday.
- Capeheart, L. and Milovanovic, D. 2007. *Social justice: Theories, issues, and movements*. New Brunswick, NJ: Rutgers University Press.
- Coglianesi, C. 2001. 'Social movements, law, and society: The institutionalization of the environmental movement'. *University of Pennsylvania Law Review* 150: 85.
- Coutin, S. 'Moving law on behalf of central American refugees'. In Sarat, A. and Scheingold, S. 2006. *Cause lawyers and social movements*. Stanford, Calif., Stanford Law and Politics.
- Curran, G. 2007. *21st Century dissent: Anarchism, anti-globalization, and environmentalism*. New York: Palgrave MacMillan.
- Dalton, R. 1994. *The green rainbow: Environmental groups in Western Europe*. New Haven: Yale University Press.
- Daly, H. 1996, *Beyond growth: The economics of sustainable development*. Boston: Beacon Press.

- De Geus, M. 2003. *The end of over-consumption: Towards a lifestyle of moderation and self-restraint*. Utrecht: International Books.
- Doherty, B. and Doyle, T. (eds). 2008. *Beyond borders: Environmental movements and transnational politics*. Oxon: Routledge.
- Ekeli, K. 2005. 'Giving a voice to posterity: Deliberative democracy and representation of future people. *Journal of Agricultural and Environmental Ethics*, 18: 429-450.
- Eckersley, R. 1992. *Environmentalism and political theory: Toward an ecocentric approach*. Albany: State University of New York Press.
- Fish, S. 1989. *Doing what comes naturally: Change, rhetoric, and the practice of theory in literary and legal studies*. Durham, NC: Duke University Press.
- Gibson-Graham, J.K. 2006. *A postcapitalist politics*. Minneapolis: University of Minnesota Press.
- Grigsby, M. 2004. *Buying time and getting by: The voluntary simplicity movement*. Albany: State University of New York Press.
- Hall, K. 2009 (revised edn). *The magic mirror: Law in American history*. New York: Oxford University Press.
- Hamilton, C. 2003, *Growth fetish*. Crows Nest, NSW: Allen & Unwin.
- Hamilton, C. and Denniss, R. 2005. *Affluenza: When too much is never enough*. Crows Nest, NSW: Allen & Unwin.
- Handler, J. 1978. *Social movements and the legal system: A theory of law reform and social change*. New York: Academic Press.
- Hansen, James, 2011. *Storms of my grandchildren*. London: Bloomsbury.
- Hardt, M. and Negri, A. 2000. *Empire*. Cambridge, Mass; London: Harvard University Press.
- Heinberg, R., and Lerch, D. (eds). 2010. *The post carbon reader managing the 21st century's sustainability crises*. Healdsburg: Watershed Media.
- Holmes, O.W. Jr. 1891. *The speeches of Oliver Wendell Holmes, Jr.* Boston: Little, Brown.
- Holmgren, D. 2013. 'Crash on demand: Welcome to the brown tech future'. *Simplicity Institute Report 13c*: 1-23.
- Hopkins, R. 2008. *The transition handbook: From oil dependency to local resilience*. Totnes, Devon: Green Books.
- Hutton, D. and Connors, L. 1999. *A history of the Australian environment movement*. Cambridge; Melbourne: Cambridge University Press.

- Jackson, T. 2003. 'Policies for sustainable consumption'. *A report to the sustainable development commission* 1-77. Available at: <http://www.sd-commission.org.uk/file_download.php?target=/publications/downloads/030917%20Policies%20for%20sustainable%20consumption%20_SDC%20report_.pdf> (accessed at 15 December 2010).
- Jackson, T. 2009. *Prosperity without growth: Economics for a finite planet*. London: Earthscan.
- Kallis, G. 2011. 'In defence of degrowth'. *Ecological Economics* 70: 873.
- Kennedy, D. 1984. 'Role of law in economic thought: Essays on the fetishism of commodities'. *American University Law Review* 34: 939.
- Kennedy, D. 1991. 'The stakes of law, or Hale and Foucault!' *Legal Studies Forum* 15: 327.
- Latouche, S. 2009. *Farewell to growth.*, Cambridge: Polity Press.
- Lin A. 2008. 'Virtual consumption: A second life for Earth,' *Brigham Young University Law Review* 2008: 47.
- Marx, K. 1983. 'The German ideology'. In Kamenka, E. (ed.). *The portable Marx*. New York: Penguin.
- Manes, C. 1990. *Green rage: Radical environmentalism and the unmaking of civilization*. Boston: Little, Brown.
- Marshall, A.-M. and Barclay, S. 2003. 'In their own words: How ordinary people construct the legal world'. *Law & Social Inquiry* 28: 617.
- McCann, M. 1998. 'How does law matter for social movements?' In Garth, B. and Sarat, A. (eds). *How does law matter?* Evanston, IL: Northwest University Press.
- McCann, M. 2004. 'Law and social movements'. In Sarat, A. (ed.). *The Blackwell companion to law and society*. Malden, MA: Blackwell.
- McCann, M. (ed.). 2006a. *Law and social movements*. Ashgate: Aldershot.
- McCann, M. 2006b. 'Law and social movements: Contemporary perspectives'. *Annual Review Law and Social Science* 2: 17-38.
- Merry, S. 1985. 'Concepts of law and justice among working-class Americans: Ideology as culture'. *Legal Studies Forum* 9: 59.
- Princen, T. 2005. *The logic of sufficiency*. Cambridge, Mass: MIT Press.
- Purdey, S. 2010. *Economic growth, the environment and international relations: The growth paradigm*. London: Routledge.

- Robertson, M. 1997. 'Reconceiving private property'. *Journal of Law and Society* 24: 465.
- Rodrigues, P. and Loenen, T. 1999. *Non-discrimination law: Comparative perspectives*. The Hague; Boston: Kluwer Law International.
- Rootes, C. 1999. *Environmental movements: Local, national, and global*. London: Frank Cass.
- Rorty, R. 1979. *Philosophy and the mirror of nature*. Princeton: Princeton University Press.
- Rosen, L. 2006. *Law as culture: An invitation*. Princeton: Princeton University Press.
- Rubin, E. 2001. 'Passing through the door: Social movement literature and legal scholarship'. *University of Pennsylvania Law Review*, 150: 1.
- Sackville, J.R. 2005. 'Courts and social change'. *Federal Law Review* 33: 373.
- Sarat, A. (ed.). 2004. *The Blackwell companion to law and society*. Malden, MA: Blackwell.
- Sarat, A. and Scheingold, S. 2006. *Cause lawyers and social movements*. Stanford, Calif., Stanford Law and Politics.
- Sassen, S. 1996. *Losing control? Sovereignty in an age of globalization*. New York: Columbia University Press.
- Schor, J. and Holt, D. 2000. *The consumer society reader*. New York, NY: New Press.
- Schultz, 1971. *English liberalism and the state*. Lexington, Mass: Heath.
- Segal, J. 1999. *Graceful simplicity: Toward a philosophy and politics of the alternative American dream*. New York: H. Holt & Co.
- Shi, D. 2007 (revised edn). *The simple life: Plain living and high thinking in American culture*. Athens: University of Georgia Press.
- Singer, J. 1988. 'Legal realism now'. *California Law Review* 76: 467.
- Singer, J. 2000. *Entitlement: The paradoxes of property*. New Haven: Yale University Press.
- Stiglitz, J. 2002. *Globalization and its discontents*. New York: Penguin.
- Tarrow, S. 1983. *Struggling to reform: Social movements and policy change during cycles of protest*. Ithaca, NY: Center for International Studies, Cornell University.
- Tilly, C. 1984. 'Social movements and national politics'. In Bright, C. and Harding, S. (eds). *Statemaking and social movements*. Ann Arbor: University of Michigan Press.

- Torres, G. 2009. 'Social movements and the ethical construction of law'. *Capital University Law Review* 37: 535.
- Trainer, T. 2010. *The transition to a sustainable and just world*. Canterbury, NSW: Envirobook.
- Unger, R. 2001. *False necessity: Anti-necessitarian social theory in the service of radical democracy*. London; New York: Verso.
- Victor, P. 2008. *Managing without growth: Slower by design, not disaster*. Cheltenham: Edward Elgar Publishing.
- Wall, D. 2005. *Babylon and beyond: The economics of anti-capitalist, anti-globalist, and radical green movements*. London: Pluto.
- Wittgenstein, L. 1953. *Philosophical investigations*. New York: Macmillan.