Foreword

My contributions to the social enterprise literature focus on the legal mechanisms that impact the formation of social enterprises formed as businesses, especially the forces that affect their ability to attract capital, grow, change, and ultimately dissolve. I have been extremely critical of new US legal forms intended to house social enterprises more comfortably than traditional nonprofit or for-profit organizations. My critiques center around these forms' lack of clear prioritization mandates requiring elevation of social mission over profit and their failure to erect an effective enforcement structure. The latter change – creating strong enforcement – is especially unlikely in the American legal and political context. But without these components, organizational forms standing alone cannot generate the trust required between social entrepreneurs and impact investors to scale up capital access for social enterprises. In my view, it is much more promising to focus on tools other than specialized legal forms to help social entrepreneurs and investors signal to each other their commitment to pursuing social good. My current work focuses on developing financing and other more practical and surgical solutions for overcoming the trust deficit faced by these two vital parties to social enterprise development.

So, perhaps like you are now, I was skeptical when Dennis Young first shared with me the concept for *The Social Enterprise Zoo*. I had grown weary of the many attempts to theorize, to chart, to taxonomize the large and unwieldy group of organizations attempting to pursue both profit and social goals. Of course, I understand the appeal of a universal theory. A coordinating framework that defines terms precisely and designates phenomena as either within or outside the social enterprise category allows scholars to engage in effective data collection and comparative analysis. From my perch in the legal academe, however, I believed we might as well choose one or another “good enough” conceptual framework, and move on to generating more empirical data, rigorous analysis of that data, and practical and policy initiatives to help social enterprises thrive.

As I learned more about the central thread of *The Social Enterprise Zoo*, however, I realized it offered a potential way out of the theory/practice dichotomy. After all, the universal theory that *The Social Enterprise Zoo* espouses is highly unconventional – defying the very universality it claims.

The “zoo” metaphor posits the social enterprise category as a collection defined by its diversity, responsive to changes in habitat, and curated by humans. I will use this central insight as I continue to push the legal debate to expand beyond its recent focus on developing an ideal legal form. Instead of pursuing their own brand of universality, legal scholars should design and advocate a range of more narrowly tailored legal technologies to suit segments of the social enterprise sector – or animals in the zoo.

The authors of *The Social Enterprise Zoo* also offer insights far beyond taxonomy, addressing the ways in which the broader environment influences whether and how social enterprises form and grow. This question of “habitat” is one my own work on legislation and legal practice addresses directly, and this legal discussion is pushed forward here. The contributors also extend this analysis much more broadly. For example, cross-country studies reveal how the state of a nation’s economic development and its type of government interact in varying and complex ways to encourage or discourage social enterprises, and the characteristics they embrace.

The Social Enterprise Zoo also reminds readers that social enterprises and the social enterprise sector are not static. They grow and evolve over time. A number of contributions make the point that as social enterprises mature individually, and as a category, the challenges they face will change. For example, new social enterprises and a nascent sector focus on seeking legitimacy. As they become more established, they must begin to grapple with competition for resources to achieve scale, and to survive in an increasingly crowded niche. Legal scholars and advocates seeking to buoy the sector must respond to these patterns of growth, designing legal tools and policies to support the differing needs of social enterprises and the sector at various points in this life cycle.

Finally, *The Social Enterprise Zoo* draws our attention to the people at the heart of each social enterprise, as it is their choices (once aggregated) that determine the contours of the sector. Many of these individuals will be change agents, disruptors, and true innovators. For the field to grow and achieve scale, however, the contributors here observe that it must also attract more ordinary social entrepreneurs. These “plain vanilla” entrepreneurs will be absorbed in creating their own new enterprises. They neither intend nor are likely capable of creating massive change or impact. The rhetoric surrounding the social enterprise field must take this insight on board. Scholars across disciplines and advocates of all stripes will need to tone down the sometimes florid rhetoric employed to describe the population of social entrepreneurs and their expectations for them.

The ultimate test for social enterprise, of course, will be how it influences our broader society. Generalizations about social enterprises’ unique capacity to innovate, the particular robustness they offer, or their ability

to create and magnify impact have become all too common. *The Social Enterprise Zoo* replaces these platitudes with rigorous theory, creating and applying the conceptual lenses of entrepreneurship and resiliency theory to various social enterprise species. It also helpfully focuses attention on how social enterprise impacts the larger business and nonprofit communities, through continuing consciousness raising and cross-pollination.

As can be seen from even this brief description, another benefit of the zoo metaphor is the ease with which it allows the chapter contributors to vary the relevant unit of analysis without losing the coherence of the book overall. Some chapters focus on the animals: the social enterprises that are contained within the zoo. Other contributions instead take a step back and consider the institution of the zoo itself. Still others address the zoo's keepers; entrepreneurs' efforts determine which entities will constitute the sector, and the market functions to thin the herd. Legal advocates and scholars developing the tools and frameworks to enable social enterprise's organizational autonomy and access to capital also participate in this important constitutive work. Our work will be strengthened by engaging with *The Social Enterprise Zoo*, and I am grateful to have been involved in the project.

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