

Interview with Andriani Mitropoulou

Douvitsa: *Thank you, Ms. Mitropoulou, for accepting this interview! It is my great pleasure to interview you with Hagen Henry for our journal as your work has guided my research and enhanced my understanding of complex matters in cooperative law. As with the other interviewees may we start by asking what made you develop an interest in the subject of cooperative law and whether cooperatives in general, and cooperative law in particular, was part of your formal education.*

I thank you for the honor you have bestowed upon me and for the opportunity to speak about an institution to which I have dedicated a significant part of my life—not only through the legal study of issues arising from the application of cooperative law in agricultural cooperatives, which I have specifically focused on, but also through my efforts to promote the cooperative institution among Greek farmers and producers. This is because I firmly believe that there can be no primary sector, and especially no agriculture, in a country without agricultural cooperatives. My involvement in this field of law began when I was recruited by the Panhellenic Confederation of Agricultural Cooperative Unions (PASEGES) as a legal advisor. At that time, I had completed my postgraduate studies at the College of Europe in the area of European law, and my country's focus on the common agricultural policy of the then European Community was paramount. The concepts of responsibility, solidarity, and autonomy, which define this institution, are core values that I strive to embody. This means that my relationship with the institution is deeply personal and experiential. For this reason, I often find myself at odds with political leaders when they introduce anti-cooperative provisions into national laws.

Douvitsa & Henry: *Having served the cooperative movement in many instances, such as by being appointed as the legal advisor for PASEGES, the National Confederation of Agricultural Cooperatives of Greece, what were the key legal shortcomings and issues you were confronted with in practice that you wish to highlight?*

Between 1978 and 1982, PASEGES was a member of the International Cooperative Alliance (ICA) and operated with absolute respect for the cooperative principles and values that define the institution. During this time, it founded a cooperative school in Thessaloniki for the training of administrative staff employed by agricultural cooperative organizations (primary, secondary, and tertiary), ensuring they received proper cooperative training and education. Simultaneously, PASEGES maintained a research service composed of prominent scientists who kept cooperatives informed on matters related to the Common Agricultural Policy (CAP). It also had a legal service comprising four legal advisers who handled all legal issues affecting PASEGES members, including approximately 150 associations of agricultural cooperatives, representing around 6,000 primary agricultural cooperatives. The legal matters we addressed covered cooperative law, tax

law applying to cooperatives, European law, and specialized labor laws applicable to cooperative officials and workers. PASEGES organized meetings where lawyers educated cooperative members on current legislation, helping them implement the laws in practice. However, after 1982, the sector suffered a catastrophic decline, a "chronicle of a foretold cooperative death" that was so evident it could not be disputed. This culminated in PASEGES being placed into liquidation—a devastating institutional loss for the country. Unfortunately, this disaster remains largely unrecognized due to a lack of education and understanding. Those in power seem to believe that agriculture is solely about subsidies from the European Union, even though such subsidies are decreasing. When these subsidies inevitably decline further, will we remember agricultural cooperatives? Starting anew will be exceedingly difficult because the times, and with them the opportunities, have changed. Returning to the situation of PASEGES, under these adverse conditions, our work as lawyers became limited to addressing routine issues for PASEGES members, with no significant scientific or institutional interest, as the cooperative institution had essentially dissolved. Legal interest in the sector re-emerged after 2011, with the introduction of the profoundly anti-cooperative law 4015/2011. This law forced most agricultural cooperative enterprises (secondary and tertiary cooperative organizations, as well as cooperative joint-stock companies) into compulsory liquidation due to their debts to banking institutions—an example of unauthorized state intervention that undermined cooperative autonomy. The result was the near-total dissolution of agricultural cooperatives, with only a few minor exceptions. Under these circumstances, many cases involving agricultural cooperatives went to court, leading to the emergence of legal issues that were often misinterpreted by the judiciary due to a lack of understanding of cooperative principles. These principles should guide the interpretation of cooperative law. Particularly misunderstood were issues related to the concept of surplus generated by agricultural cooperatives and the cooperative property, which represents the property of generations.

***Douvitsa:** As you have been part of cooperative lawmaking, in the latest legal reform of agricultural cooperatives in Greece, I had the pleasure of hearing your speech before the Greek Parliament, where you expressed your opinion of the inadequacy of the legal draft especially about investor members. Why do you think law- and policymakers in Greece – and abroad – have such difficulty understanding the essence of cooperatives and translating it appropriately into law.*

Firstly, I want to make it clear that the latest law governing agricultural cooperatives in Greece, Law 4673/2020, was drafted by individuals who were entirely ignorant of the principles that define a cooperative. This is extremely dangerous because by violating the cooperative identity, you create a legal entity that is anything but a cooperative. It seems to have been overlooked that no one is forcing farmers to establish cooperatives to promote their economy and culture. The legal framework is broad enough for them to collaborate by forming a capital company under commercial law. However, if they choose to establish a cooperative, they should respect the principles of this significant institution, which, in my opinion, not only aims to serve their financial

needs but also to shape their character—promoting humanitarian values over individualism. The crisis facing agricultural cooperatives in Greece is unparalleled in its history and differs significantly from crises in other countries. Over the past 50 years, socialist and other governments have sought to implement social and clientelist policies through agricultural cooperatives. They did so by directly intervening in cooperative entrepreneurship, despite the Greek Constitution explicitly prohibiting such interference. These governments politicized cooperative leadership, forced cooperatives to hire excessive numbers of workers to address unemployment, and compelled them to purchase the entire production of their members and third-party farmers, often beyond their capacity to manage. As a result, cooperatives had to resort to bank loans to survive, leading inevitably to bankruptcy. Adding to these issues was the closure of cooperative schools and the abolition of farmer cooperative education programs. Globally, I believe that the drive for quick profits, unrestrained individualism, disregard for the environment, and the prevailing consumerist culture—prioritizing quantity over quality—pose significant barriers to the crucial role of collective effort in benefiting everyone, not just individuals. In my opinion, the opening of markets and unchecked competition are as detrimental to agricultural cooperatives as they are to humanity itself. However, cooperatives have a unique advantage: they provide their members with quality in both production and life. This strength lies in their local focus, prioritizing care for their community. Communities, after all, are the building blocks of a country.

***Douvitsa & Henrj:** If we may return to the issue of investor members, as this is an issue that keeps coming up in public debate including in other countries where cooperative legal reforms are underway. What is your view on the popularity of such provisions and how they may affect the cooperative identity?*

Regarding investor members in Greece, I am entirely opposed to the idea, primarily because there is no cooperative education in place to establish boundaries for the application of this concept. Without such education, cooperatives risk deviating from their principles. I firmly believe that cooperatives must operate strictly within the framework of international cooperative principles, as adherence to these principles is the only way to achieve the desired results. If cooperatives deem it necessary to register investor members, it should be under strict conditions that ensure these members do not undermine the cooperative's principles or financial stability. For instance, investor members could be allowed to invest funds, but safeguards must be in place to address potential issues with capital adequacy if these members decide to withdraw their investments. Investor members must recognize that a cooperative, by its nature, has a long lifespan, and this should factor into their decision-making. Investor members might participate in the Supervisory Board of the cooperative and, possibly, as a minority on the Board of Directors. They could also have speaking rights in the general assembly, but without voting rights that would upset the balance of power. These limitations are illustrative but necessary to preserve the cooperative's identity. In my view, cooperatives with a strong sense of cooperative consciousness cannot and should not shift towards a capitalist model, as this presents a legitimate risk. Instead, cooperatives could explore

collaboration with local government bodies, allowing these entities to invest capital in cooperatives for projects that serve the public interest, such as renewable energy initiatives. For example, in the United States, agricultural cooperatives reportedly supply all the electricity required for agriculture. Investor members require this sort of framework and should not be allowed under the provisions of the current Greek cooperative law. This law allows an investor member to control up to 40% of the votes in a cooperative's general assembly. Such an assembly is meant to operate democratically and as a union of members, not as a capital company. In my opinion, this arrangement constitutes institutional confusion and undermines the cooperative identity.

Douvitsa & Henry: *Given the plethora of special cooperative laws in Greece for different types of cooperatives, how do you think this has affected the unity of the cooperative movement? Do you think that a general cooperative law is missing from the Greek legal landscape?*

This is true. According to Aristotle, a state with many laws is a poorly governed one. In Greece, where agricultural cooperative legislation is frequently and hastily modified whenever there is a need to showcase a project in the agricultural sector, a single, comprehensive cooperative law would have spared us from these constant and often disastrous changes. I firmly believe that a framework law—extensive enough to address all issues relevant to cooperatives, without references to commercial legislation—is absolutely essential. Such a law would prevent the frequent misinterpretations in jurisprudence, where cooperatives are judged either as commercial companies or as unions. Both interpretations are incorrect, as the nature of a cooperative is neither capitalistic (like a capital company) nor ideological (like a union). Therefore, I am a strong advocate for a unified cooperative law that respects the unique character of cooperatives while allowing their statutes to regulate internal operations in alignment with their specific purposes. This approach would provide the stability and clarity needed for cooperatives to thrive.

Douvitsa & Henry: *For many decades you have worked with Professor Papageorgiou, who is one of Greece's best-known professors of cooperative economics. He has highlighted your dedication to cooperative law. Please tell our readers how you met him and whether you think it is important for cooperative lawyers to work with economists to ensure a better understanding of cooperatives and improvements to the sector overall?*

Professor K. Papageorgiou is a distinguished figure in cooperative economics and he has been a guiding light for many students at the Agricultural University, inspiring them to embrace the cooperative institution. His philosophy of life is rooted in responsibility, solidarity, and a deep love for humanity and its needs. He views individuals as independent personalities rather than alienated entities. His philosophy and views left an indelible mark. I had the privilege of working under Professor Papageorgiou when he served as General Manager at PASEGES. As a young lawyer taking my first steps in the cooperative world, his leadership and guidance were invaluable. Unfortunately, his tenure at PASEGES was cut short for purely political reasons, as the

organization decided to terminate its collaboration with him. In my view this was one of PASEGES greatest mistakes and it marked the beginning of its loss of direction. However, my collaboration with Professor Papageorgiou continued uninterrupted. He always had the kindness and patience to review my writings and provide his insightful observations. For me, Professor Papageorgiou became my great cooperative mentor—a role that, regrettably, law schools in my country fail to provide. He helped me understand that one cannot truly grasp the essence of a cooperative without first comprehending its economic function. Inspired by this realization, I delved deeply into the practical workings of cooperatives, making this understanding a part of my professional foundation. This has fueled my tireless dedication to the cooperative institution, which I deeply believe in and remain committed to.

***Douvitsa & Henry:** You have been the founding member of the Institute of Cooperative Studies in Greece which has also launched the Journal of Social Economy. What was the reason behind the establishment of such an institute and the launch of the journal and are there any lessons that other initiatives, including Ius Cooperativum and our journal, could learn from your experience?*

The periodical, Cooperative Economy, was essentially a continuation of the highly significant Cooperative Course magazine, which had been founded by distinguished university professors in the past and as an initiative of lawyers. The magazine's readership grew primarily due to its coverage of pressing and relevant topics, such as developments in the cooperative institution, commentary on judicial decisions, critiques of cooperative legislation, and statistical updates on international cooperatives. These topics were often curated and edited by Professor Papageorgiou, adding further depth and credibility to its content. Allow me to share my perspective: Ius Cooperativum could build on this legacy by including the publication of decisions from the Court of Justice of the European Union, monitoring and commenting on national jurisprudence across member states, and publishing studies that advance cooperatives' development. Such studies could include analyses of successful cooperatives in other countries, offering practical examples that others might follow. One area of great importance, in my view, would be the comparative study of national cooperative legislations—not merely listing them but analyzing their structures, strengths, and weaknesses in detail. This could illuminate the factors that contribute to the success or failure of cooperative frameworks in different contexts. Additionally, I believe that efforts should be made to highlight and promote successful cooperatives, analyzing the practical reasons behind their achievements. For example, I would be particularly interested in studying how cooperatives in the United States have successfully provided electricity to their members. Such analysis represents a critical transition from theory to practice, demonstrating how cooperative principles can yield tangible benefits for their communities.

***Douvitsa & Henry:** The interest in cooperative law is increasing. The 2023 Report of the Secretary-General of the United Nations on “Cooperatives in social development” (Doc. A/76/209) is one example of this interest. This is in sharp contrast with the reality of education,*

where cooperatives are at best underrepresented or at worst totally absent in research and education curricula. What do you think should be done about this, especially since in your work You always highlight the importance of education?

As I firmly believe there can be no agriculture without cooperatives, I equally believe that there can be no cooperative institution without education. I am reminded of the English philosopher and political economist John Stuart Mill, who famously stated: "Education is desirable for the whole human race. But it is a necessity of life for the cooperative members." To establish a cooperative, it is essential to understand the principles that govern the institution and its economic function. This includes grasping the distinction between the cooperative's social character and the concept of public benefit, which are often confused in practice and, regrettably, in court decisions. The cooperative's social character is rooted in the 7th cooperative principle. Moreover, cooperative members and professional executives—especially managers—must deeply understand the principles within which they operate. Above all, they must always remember that their primary goal is not profit but the satisfaction of their member's needs. This means that profit should serve the members, not the other way around. Education is equally critical for those responsible for auditing cooperatives, so they do not evaluate them as if they were commercial law companies. They must understand that cooperatives operate within a unique framework, distinct from capital-driven enterprises. For example, Article 12, paragraph 4, of the Greek Constitution provides for tax relief for cooperatives as part of their developmental role. This is because cooperatives create social property, which is preserved and passed on to future generations. Understanding this broader purpose reinforces the cooperative's role as a socially and economically transformative institution.

Douvitsa & Henry: *Career opportunities for cooperative lawyers inside and outside academia are scarce. How were you able to make a career out of your interest in cooperative law? What kind of advice would you give to young people thinking of developing a career in cooperative law?*

This is a challenging question in the context of the reality in Greece. I was fortunate to work with agricultural cooperatives during a period when the Common Agricultural Policy (CAP) was the sole policy shared among all member states of the then EEC. The CAP strongly promoted the producer group model, which operated on democratic principles. This naturally aligned the concept of Producer Groups with the agricultural cooperative model. I still firmly believe that a successful Producer Organization (PO) can only thrive under the legal framework of an agricultural cooperative and not as another type of legal entity. After all, who else can achieve such significant product concentration under proper conditions of control—conditions rooted in cooperative ideology rather than coercion? Who else but the agricultural cooperative prioritizes sustainable development and environmental protection as core goals? To young lawyers interested in this field, I would say: pursue the cooperative institution only if you are passionate about it. Passion will drive you to advocate, through professional organizations, for the inclusion of cooperative law in law school curricula. It will motivate you to push for the establishment of

cooperative institutes to study past achievements and to analyze global cooperative models. By doing so, you will realize that you are not only practicing law but also contributing to the economic, social, and cultural development of communities—a fundamental goal of the cooperative institution.

Douvitsa & Henrj: *As we stated earlier, you have not only published widely on cooperative law, but you have also engaged in law-making, consultancies, and counselling. Please tell us about these opportunities and how they link to other aspects of your work.*

I served as a member of several law-making committees tasked with drafting legislation related to agricultural cooperatives and interprofessional organizations (IOs) of farmers. In the agricultural sector, IOs operate with a union structure and are governed by national legislation on unions or civil non-profit companies, while also being supplemented by relevant provisions of Union law. This institution is critically important, forming, alongside agricultural cooperatives and producer organizations, the comprehensive legal framework within which the agricultural sector should operate. Regrettably, in Greece, the institution of IOs has not yet functioned effectively, despite the passage of the first national law for these organizations in 1999. I believe that the agricultural sector's underperformance, compared to its immense potential, can largely be attributed to deficits in the development and support of both agricultural cooperatives and IOs. As I have emphasized previously, I am convinced that a producer organization can only succeed within the cooperative framework. Cooperatives can lawfully claim numerous privileges from the state without violating Union law or fostering dependency on government support. This is because of the cooperative's substantial social contribution, which must be showcased through effective and principled operation. My belief in the power of cooperation is not theoretical, as cooperation necessitates tangible action. Historically, agricultural cooperatives in Greece have made significant contributions, particularly in infrastructure projects that have benefited the country. In this context, I had the opportunity, thanks to my close relationships with many cooperatives, to give non-profit lectures aimed at highlighting the advantages of the cooperative institution for agriculture. A key focus of my efforts was fostering faith among cooperative members in their cooperative model, encouraging them to avoid external dependencies—particularly external borrowing—and reliance on the state, which has historically undermined them. Lastly, I must emphasize that my participation in law-making committees often brought me into conflict with the views of the respective government. However, I refused to compromise, as I firmly believe that cooperatives must never deviate from their foundational principles.

Douvitsa & Henrj: *Given the emergence of other concepts, such as social enterprises, social economy, social and solidarity economy, what kind of impact might they have on cooperatives?*

I believe these institutions can function in parallel, as they theoretically complement each other. However, in agriculture, I believe agricultural cooperatives should operate under cooperative

legislation, incorporating necessary modifications and adjustments driven primarily by technological advancements, to ensure the well-being of farmers.

Douvitsa & Henry: *Two years ago, the ICA launched an online questionnaire inviting all interested parties to share their thoughts on whether its 1995 Statement on the Cooperative Identity should be reformed. One opinion expressed was that the ICA Statement, in its current form, does not do enough to emphasize cooperatives' response to the climate crisis. What are your thoughts on this? Do you think the cooperative identity as it has been stated in 1995 should be revised? How would a revision of the Statement affect cooperative law and policies, if at all?*

My view is that the cooperative principles are already complete, and I do not believe any changes are necessary. I am concerned that any expansion or alteration could lead to interpretative challenges. The more concise these principles are, the more useful they become for interpreters and practitioners. New technologies can be adopted without interference from the existing framework, which I support, as I have not observed any deficiencies in cooperative action. In particular, agricultural cooperatives have the capacity to address a wide range of activities on behalf of their members, as long as these activities are provided for in their statutes. These cooperatives hold significant potential to contribute to the national economy by increasing the national product through their operations. By their nature, agricultural cooperatives typically have a local focus, investing primarily within their own regions and rarely extending beyond their localities or abroad. At least in Greece, I am not aware of any cases where agricultural cooperatives have invested internationally. Environmental protection can also be effectively achieved through the 7th cooperative principle. This is reinforced by the local and regional actions of cooperatives, as well as by the sustainable development and environmental protection rules established by the European Union.

Douvitsa & Henry: *2025 was declared by the UN as the second International Year of Cooperatives within only 13 years, under the theme 'Co-operatives build a better world'. What kind of legal and policy interventions do you think are needed so that the above theme may become a reality?*

I consider the declaration of 2025 as the International Year of Cooperatives to be an extremely significant milestone. This underscores the fact that humanity, for its very survival, has an essential need for the cooperative institution. However, we must move beyond mere observations and wishful thinking. The United Nations, through its agencies and within the scope of its statutory powers, should compel states to adopt a series of measures that promote and implement the principles of cooperation. In my view, cooperatives are uniquely positioned to require their members to take proactive steps for environmental protection. Additionally, states should collaborate with cooperatives to address pressing challenges, ultimately improving the quality of life for citizens in meaningful and impactful ways.

***Douvitsa & Henry:** Thank you again for the interview, Ms. Mitropoulou!*

Thank you very much.