

“Corporate Moral Agency” Peter A. French

- *Are corporations persons?*
- *“I shall argue that corporations should be treated as full-fledged moral persons and hence that they can have whatever privileges, rights, and duties as are, in the normal course of affairs, accorded moral persons” (265-66)*

Two Types of Responsibility Ascription

- *Who-dun-it: pins responsibility to someone or something*
- *Accountability: “Having a liability to answer”*
 - Liability/obligation based on a pre-existing relationship)
 - Responsibility ascription is properly uttered by someone Z if he/she can hold X accountable for what he/she has done.(265)
 - Creation of responsibility relationships: contracts, promises, hirings, assignments, appointments, agreeing to enter a Rawlsian O.P.

Accountability Relationships (Type 2)

- *Person held accountable is causally responsible*
- *Person's actions was intended*
- *Event was directly caused by an intentional act of the subject.*
- *For a corporation to be held accountable it must be the case that a corporation can be viewed as performing intentional acts (i.e., acts independent of the actions of some discernable individual or group of individuals)*

Corporate Internal Decision Structure (CID Structure)

- *Organizational or responsibility flow chart that delineates stations and levels within the corporate power structure*
- *Corporate decision recognition rules i.e., “corporate policy”*
- *When the two components work together they constitute a synthesis of various decision-making sections of the corporation*

CID Structure and Biological Persons

- *CID Structure “incorporates” acts of biological persons.*
- *Given any event E , this event can be described in two non-identical ways:*
 - *“Executive X ’s doing y ”*
 - *“Corporation C ’s doing z ”*

CID Structure – Chess Analogy

- *Grammar: King, Queen, Rook, Bishop, Knight, Pawn*
- *Logic: The ways in which each piece is permitted to move (rules of the game).*
- *The game played is more than any single piece moved, but is the sum total of a number of pieces moving in a variety of pre-determined ways.*

Recognition Rules

- *Recognition rules are partially defined by the procedural rules.*
- *Recognition rules are also a function of the type of policy it instantiates*
- *“A corporate decision is recognized internally not only by the procedure of its making, but by the policy it instantiates. Hence every corporation creates an image (not to be confused with its public image) or general policy, what G. C. Buzby of the Chilton Company has called the ‘basic belief of the corporation’”(267)*
- *Ex. Gulf Oil Corporation p.267.*

Corporate Intentionality

- *“When the corporate act is consistent with the implementation of established corporate policy, then it is proper to describe it as having been done for corporate reasons, as having been caused by a corporate desire coupled with a corporate belief and so, in other words, as corporate intentional” (267)*
- *Corporate decisions are in many respects independent of the individual decision makers, or the intentions of individual decision makers.*