



Conceptualizing Corporate Responsibilities.

Agency, Reciprocity and the Constitutive Role of Law

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Ph.D. thesis defence on 10 January 2014

Abstract

While the discourse surrounding corporate responsibilities is ubiquitous these days, justificatory accounts of corporate responsibilities, i.e. normative accounts of the *grounds* upon which responsibilities are to be articulated are not part of the discussion. The lack of justificatory accounts is particularly stark with respect to potential responsibilities of corporate agents concerning the socio-economic rights of poor population in 'burdened' societies. As corporations have garnered *public* power through the constitutive force of the investment regime, no satisfactory account of correlative responsibilities is articulated. This thesis argues that this lack is caused by an existent disciplinary parallelism that foregoes engagement with the structural issue of corporate responsibilities as viewed under an institutional lens: Where liberal justice theory assumes away corporate agency for its institutional bias, Corporate Social Responsibility (CSR) and Business and Human Rights (BHR) mirror justice theory by assuming the corporate agent to be merely a private, economic agent. This thesis argues that this parallelism allows for a troubling lacuna in normative proposals that satisfactorily deal with the responsibilities corporate agents ought to be ascribed as *public powers*. In as much, this thesis problematizes the question of responsibilities corporate agents hold in light of their role in the creation, perpetuation and potential abatement of poverty. Since this is a question that concerns the side of the duty-bearer, the thesis focuses on an understanding of the agency of the corporation and the normative implications to be drawn from such an understanding. Arguing the lack of satisfactory justificatory accounts of corporate responsibilities that provide for guidance on corporate investment in burdened society, this thesis ends by

developing a Basic Structure Model (BSM) as a viable tool to fill the lacuna in satisfactory normative proposals. In as much, the BSM can serve as a normative benchmark against which corporate engagement in burdened societies can be evaluated and reform can be effectuated.



Jury: Rainer Bauböck (EUI), Dennis Patterson (EUI, Supervisor), George Pavlakos (University of Antwerp), Leif Wenar (King's College London) (via videolink)

Bio

Julien Topal holds a BA and an M.Res in Philosophy from the University of Amsterdam as well as an M.Res in Social and Political Sciences from the EUI. His main research interest is in global justice theory, responsibilities of transnational corporations and world poverty issues. Before coming to the EUI, Julien was a Lecturer in Political Philosophy at the University of Maastricht. Currently he is a Research Associate at the Vale Columbia Center on Sustainable development and will commence teaching as an Adjunct Professor in Ethics at William Patterson University, NJ, US.