

Corporate Weakness

Abstract: According to proponents of corporate moral responsibility, corporations are capable of being responsible for their behavior even in ways that do not reduce to the responsibility of their managers. This position quickly leads us to ask questions involving what corporations are responsible for, or what it would mean to hold a corporation responsible. Another question, however, concerns what leads corporations to fail to meet their obligations. If we consider what causes individuals like us to fail to satisfy our own responsibilities, we can see that our failures come in at least two varieties: We can fail to adequately appreciate the moral reasons that we have to act a certain way; or we can know what we should do and yet fail to do it, perhaps out of incontinence, akrasia, or weakness of will. In the corporate case, it is easy to find authors who claim that corporations fail in the first way. However, proponents of corporate moral responsibility often deny that corporations can fail in the second way—via something like weakness of will. In this paper, I argue that corporations can suffer from weakness of the will, and that this best explains a large swath of their bad conduct. I then connect this question of corporate responsibility to the growing literature on corporate compliance and self-regulation. I show that compliance is best understood as the corporation's getting itself to behave in accordance with its judgements. Finally, I show how this clarifies the role of a corporate code of ethics.