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ATTRIBUTIONS OF MORAL RESPONSIBILITY: FROM ARISTOTLE TO CORPORATIONS

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Abstract

With the growing interest towards moral issues within corporate settings, attributions of moral responsibility are extending from individual agents to collective agents such as corporations. But are the latter capable of satisfying the necessary and sufficient conditions for moral responsibility ascriptions traditionally defined in the Aristotelian framework? This article discusses the topic of moral responsibility as related to both individual and collective agents, inquiring whether corporations are able to bear moral responsibility as individual agents do. It advances an interpretation in which, based on the status of secondary moral agents and on internal structuring mechanisms such as corporate practices, corporations are able to meet the criteria for moral responsibility ascriptions.

Keywords: moral responsibility, corporate moral responsibility, individual moral responsibility, business ethics.

Both academic research and media discourse of the past decade suggest a growing interest towards corporate morality, with subjects such as corporate accountability, responsible business practices or organizational integrity being often under debate. In this context, the topic of *moral responsibility* becomes relevant not only related to individual human agents (as it traditionally used to do), but also to collective agents such as corporations. But while our everyday language practice seems to have created room for such moral projections made on corporations, scholarly philosophical research has not (yet) reached a final agreement on the general topic of collective moral responsibility, more particularly on corporate moral responsibility. And even though there may be some agreement on the limits and boundaries of individual moral responsibility, current research is still inquiring whether we are justified in speaking about the moral responsibility of corporations (Phillips 1995; Velasquez 2003). To that end, various interpretations are put forward in depicting the possible criteria leading to legitimate ascriptions of moral responsibility to collectives such as corporations.

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This article discusses the topic of moral responsibility² as related to both individual and collective agents, inquiring whether corporations are able to bear moral responsibility as individual agents do. What are the criteria that we use when we speak about moral responsibility? How do we ascribe moral responsibility to individual human agents? Most importantly, can our criteria of moral responsibility as related to individuals be extended to collective agents such as corporations? These are the main questions to which this article is trying to find an answer.

I start by discussing individual moral responsibility, where I first delineate the necessary and sufficient conditions put forward by Aristotle in the *Nicomachean Ethics* (*NE*) as related to situations when we ascribe blame or praise to an agent, for these conditions are traditionally equaled to moral responsibility (Meyer 1993). After outlining current scholarly research on moral responsibility ascriptions which partly reiterate the Aristotelian framework, I then suggest a possible interpretation which brings the Aristotelian set of necessary and sufficient conditions for moral responsibility closer to our current perspectives on the topic. I continue with discussing corporate moral responsibility, where I briefly sketch the individualist-collectivist debate over collective moral agency. I finally discuss how we can enlarge our individualist conception on moral responsibility so as to create room for corporate morality, and end the paper with several conclusions.

I. Individual Moral Responsibility

As moral responsibility ascriptions concern first and foremost individual agents, I begin by discussing what it means for an individual to bear moral responsibility for a particular action. In the Aristotelian tradition, this generally amounts to specifying the set of necessary and sufficient conditions under which an agent may be adequately ascribed praise or blame for his actions in a given context. After discussing the analysis advanced by Aristotle in his *Nicomachean Ethics*, I go on and take a close look into its implications for current scholarly research on individual moral responsibility.

² I am only interested here in moral responsibility from a retrospective or backward-looking perspective (Gilbert 2006; de Leede, Nijhof and Fisscher 1999), that is, moral responsibility ascriptions for past actions (embedding a causal meaning), as opposed to prospective or forward-looking moral responsibility (Idem), which is rather concerned with taking on responsibility for future states of affairs (as it rests on a deontic framing (Velasquez 2003) of responsibility).

1.1. The Aristotelian Framework

Aristotle does not use a specific term or concept in order to speak about what we call today as *moral responsibility*. Nonetheless, his analysis from the *Nicomachean Ethics*³ – especially Book III parts 1-5 and Book V parts 8-9 – concerning the pair “voluntary-involuntary” and “deliberation” appears in the context of discussing virtues and vices. More precisely, the analysis is concerned with discussing the conditions under which it is adequate to blame or praise someone for his character dispositions or for his actions (*NE*, 1109b, 30). As such, the inquiry on these conditions is equivalent to analyzing the *conditions under which an agent is ascribed moral responsibility for his actions*⁴.

What I will be advancing here is a stronger claim (Mureşan 2007), for which there is enough textual support in the *Nicomachean Ethics*: that, in order to ascribe moral responsibility to an agent, it is necessary not only to consider that his action was performed voluntary, but also that his *voluntary action* was based on a *deliberate decision*⁵.

*1.1.1. Voluntary vs. Involuntary Action*⁶

In order to delineate the sphere of voluntary action, which I will finally restrict so as to define the sphere of moral responsibility of an agent, I start by discussing Aristotle’s analysis concerning voluntary vs. involuntary actions, where I focus on those aspects which are particularly important for the final discussion concerning the conditions for ascribing moral responsibility to an agent.

³ All references to the *Nicomachean Ethics* refer to Irwin’s (1985) translation.

⁴ Many interpretations seem to share the opinion that the analysis of voluntary actions from *NE* is equivalent to specifying the conditions for moral responsibility, based on the fact that Aristotle holds that it is first necessary that the action of an agent is voluntary in order to blame or praise that agent (Glover 1970).

⁵ Contrary, for instance, to the interpretation advanced by Broadie (1991), namely that the notion of “responsible agent” does not have a more limited extension than “voluntary agent”.

⁶ I will only partly use here the terminology proposed by Irwin concerning the voluntary and involuntary action. In the *Nicomachean Ethics*, Aristotle uses the Greek pairs “hekousion/ akousion” with reference to actions and “hekon”/ “akon” with reference to persons (Hughes 2001; Meyer 1993), terms which have been widely translated with “voluntary”/ “involuntary” (Broadie 1991; Bostock 2000; Ross 1980; Irwin 1985), “intended”/ “unintended” (Urmson 1994) or “willingly”/ “unwillingly” (Irwin 1985; Hughes 2001). In addition to this, Aristotle uses different terms to describe, on the one hand, the action as performed at the time the agent acts and, on the other hand, the action in the light of the agent’s subsequent reaction to what happened, when he regrets the action (Hughes 2001). Throughout this article I will use “involuntary” to refer to the former and “not voluntary” to refer to the latter (denoting actions which are not only without the intention of the agent, but actually *against* his intention). Irwin (1985) uses instead “non-voluntary” vs. “involuntary action”, while Broadie (1991) speaks of “nonvoluntary” and “countervoluntary” action.

Involuntary actions: “by force” or “because of ignorance”. Aristotle identifies two situations in which an agent does not voluntarily perform an action (in other words, he acts involuntary): (a) when he acts “by force” (Gr. <*bia*>); (b) when he acts “because of ignorance”. In the former case, the agent acts through an external irresistible force (1110a; 1110b, 5): the origin or cause of his action is *external* to the agent, so that the agent does not actually contribute to realizing that specific action (for instance, when the agent is on a ship carried out on sea by the wind, without him being able to do anything to determine the course of the ship). In the latter case, the agent acts “because of ignorance” (1110b, 20), without knowing the particular circumstances in which he acts and without being able to anticipate the result of his action. In this case, the agent acts without intention, involuntary, because he does not know the *particular circumstances* of his action (concerning the agent, act, object of action, instrument, aim or purpose, manner).

A particular situation in this latter case is that in which, according to Aristotle, the agent *regrets his action*, has a feeling of remorse when finding out the consequences of his actions – which further indicates that he would not have acted in the way he did if he knew the specific circumstances of the situation in which he acted (for instance, the agent gives someone to drink a liquid in order to save his life and instead determines his death). As Aristotle puts it, this particular situation is the only one in which the agent acted against his will/intentions, namely, **not voluntary** (1111a, 20) and deserves, accordingly, “pity” and “forgiveness”.

Furthermore, Aristotle identifies a second category of actions performed “because of ignorance”, namely the case in which the agent acts “**in ignorance**” (1110b, 25), as in cases when in he is not aware of his acting (the case of the drunk man or the angry man). This is, apparently, another case of involuntary actions. But this is only apparently, because unlike actions performed “because of ignorance”, where we can remove the blame normally put on an agent as long as he regrets his action (when acting “not voluntary”), such actions necessarily determine our blaming the agent, as the agent allowed himself to reach such a state of ignorance caused by his own vices. The agent is therefore completely responsible for his action because this is the consequence of an initial action which was voluntary, deliberate (for instance, the man who acted blameworthy, “in ignorance”, when he is drunk will be considered blameworthy because he deliberately started to drink in the first place).

Mixed actions. In the *Nicomachean Ethics* (1110a, 10), Aristotle analyses an additional situation, one in which it is difficult to determine if the agent acted voluntary or not, in other words if the agent meets the criteria to be ascribed blame or praise. It is the case of *mixed actions*, a category Aristotle uses to define those situations in which the agent acts “under compulsion”

(gr. <*ananke*>) – for instance, when a tyrant threatens someone that he will kill his family if he does not perform a reprobable action. Such situations are those in which external conditions coerce the agent to perform an action *against* his will / intention, therefore “*not voluntary*”; however, the agent performs the action itself *voluntary*, in order to avoid a greater harm.

We are therefore speaking about an action which is *not voluntary* as it is performed “under compulsion”, but at the same time it is *voluntary* because the agent “freely chooses” to perform the action. In normal conditions the agent would not choose to perform the specific action but, given the particular circumstances, he chooses to perform the action as he is coerced by a context which he cannot control. The agent acts against his will (not voluntary) but, nonetheless, he chooses to perform the action because it is the best option given the particular circumstances (in this respect, the principle of action is in him).

Therefore, from a general point of view, mixed actions are voluntary actions, but from a particular point of view, they are not voluntary actions (1110a, 15). I consider Bostock (2000) advances a pertinent point of view here: what is unclear (mixed) is the agent’s *will*, as on the one hand, he wants to perform the action but, on the other hand, does not want to do so. His *decision* is, nonetheless, clear, and this point is relevant in analyzing moral responsibility ascriptions. This is why Aristotle notes that, in such situations (1110a, 20), the agent may even be praised for his action – hence the rather voluntary character of his action.

Another way to understand mixed actions in the Aristotelian view is to specify that, even though the *principle* of action is in the agent acting under compulsion (because he chooses, in the end, to perform the action), the *purpose* of the action is determined externally by the one who coerces the agent to act (Mureşan 2011). This is a point put forward in *Eudemian Ethics* (1225a, 10-15), where Aristotle seems to imply that we can speak of actions which are ‘in a way’ performed under compulsion not only in the situation when the agent cannot completely freely choose the action he performs, “but also in the situation when he cannot freely choose the purpose in view of which he acts” (Mureşan 2011, 67, note 26). In the example with the tyrant who coerces someone to perform a certain reprobable action under threat of killing his family if he doesn’t, the agent’s action is mixed because the purpose is determined externally, while the agent has a limited array of options as he chooses among “purposes fixed by others” (Idem).

It is important to highlight here that we do not include in the sphere of actions performed “under compulsion” (not voluntary) cases when the agent acted with pleasure, because this means that he acted according to his will, therefore completely voluntary (and we can therefore blame the agent for his actions). Moreover, in order to consider that the agent acted indeed under external coercion – and to absolve him of blame (but not of moral responsibility) – it is

necessary, on the one hand, that the coercion is such that it is beyond human nature to resist it and, on the other hand, that performing the action “under compulsion” generates a lesser harm than not performing it (1110a, 20-30).

Voluntary actions. Much of the effort needed in order to determine the realm of voluntary actions was already carried out by Aristotle in defining *involuntary actions*, where the agent is neither blameworthy nor praiseworthy for his actions, that is, he is not to be considered morally responsible. This category of actions covers situations in which the agent either acts “by force” or “because of ignorance”. The latter category further includes the subclass of “not voluntary” actions, performed against the agents’ intentions or will: because of ignorance regarding the particular circumstances in which the action is carried out and at the same time contrary to the agents’ will or intentions, as he regrets his actions after finding out all contextual details of his action. In turn, actions performed “in ignorance” do not absolve the agent of praise or blame, even though he might not have intended to perform some specific actions while being, for instance, angry or drunk.

To these categories Aristotle adds another one, *mixed actions*, that is, performed “under compulsion”. These actions are considered to be “rather voluntary”, therefore make the agent to be liable to praise or blame for his action. But as long as such mixed actions are performed against the agent’s will or intention, the agent may be excused or even praised for his action. We therefore have two situations in which, even though the agent is to be considered blameworthy or praiseworthy for his action (therefore morally responsible), he may nonetheless be forgiven or pitied. Namely, it is when the agent acts either “because of ignorance” or “under compulsion”, but with the necessary requirement that he afterwards regrets his action.

Having framed these categories of actions, Aristotle then defines the sphere of **voluntary actions** in a negative way, as opposite to the class of involuntary actions. Hence, voluntary actions require the satisfaction of three simultaneous conditions: (1) the principle of action is in the agent and not outside, that is, the agent does not act “by force” (1111a, 20); (2) the agent knows the particular circumstances of his action – he does not act “because of ignorance” (1111a, 25); (3) the action is not performed “under compulsion” (1135a, 24-35).

1.1.2. Deliberate Decision (Deliberation)

Among the voluntary actions, Aristotle further identifies a subclass which is particularly relevant for the problem of moral responsibility ascriptions, as it is directly linked to the status of vices and virtues. These are the voluntary actions based on a *deliberate decision* (*prohairesis*) (1111b, 10; 1135b, 10), in

other words actions which are performed after prior analysis, involving aforethought. Only such voluntary actions based on deliberation are, in the Aristotelian framework, specific to the rational individual, while generic voluntary actions are also available to children or animals. According to Aristotle, only this specific type of actions may indeed be considered virtuous or vicious, performed by a virtuous or vicious individual (Muresan 2007).

An important highlight concerning the agent's deliberate decision is that, according to Aristotle, the object of deliberation is "what is up to us, i.e. about the actions we can do" (1112a, 30), in other words it is within the agent's realm of action. Moreover, the agent does not deliberate on ends, which are already determined at the moment the agent needs to deliberate, but on the necessary means to achieve them: "we do not deliberate about ends, but about what promotes ends" (1112b, 15).

1.1.3. Individual Moral Responsibility in the Aristotelian Framework

Having now framed the Aristotelian analysis on virtuous and vicious actions, based on the discussion concerning voluntary and involuntary actions, we can now turn on discussing the problem of *moral responsibility* from an Aristotelian perspective. This amounts to focusing on the voluntary actions that are based on deliberation and which may receive two major lines of interpretation. The first line, based on Irwin's (1985) argument, states that Aristotle develops both a "simple theory of voluntary" and a "complex theory of responsibility", the latter involving deliberate decision. The second line, based on Bostock's (2000) argument, states that Aristotle has a single theory and that this is a theory of voluntary actions which involves as one of the necessary conditions that the action be based on *deliberation* (which equals to the agent's "contribution" to that action) in order to consider it as voluntary action.

I consider the interpretation suggested by Irwin to be closer to the Aristotelian text (see 1111b, 10), but with the additional specification that the labeling "complex theory of responsibility" is not adequate, as long as the Aristotle does not employ the word "responsibility". I therefore consider that Aristotle develops, on the one hand, a „theory" (if we may label it this way) concerning voluntary action in Book 5, 1;5 (which does not include deliberate decision) and, on their other hand, one theory concerning the essential characteristic of virtue (as the adequate criteria to judge character) in Book III, 2-4 and subsequently in Book V, 8-9 (where deliberate decision is included as a supplementary criteria to define virtuous actions, besides the condition of voluntariness).

With the analysis from the *Nicomachean Ethics* as a starting point we can now determine the sphere of moral responsibility ascriptions, which includes actions performed **voluntary** (that is, the action was *caused* by the agent, who

knows the particular circumstances of his actions, and the action is performed *without compulsion*) and, at the same time, based on a **deliberate decision**. The voluntary character of the action performed and the deliberate choice are both necessary conditions, but only together sufficient in order to consider an agent as being morally responsible for his action.

It is necessary to make here a final remark regarding attributions of moral responsibility, respectively, blame or praise. Being morally responsible for one's actions further determines evaluating the agent as being blameworthy or praiseworthy for the particular action performed, depending on case. There is, nonetheless, a particular situation in which even though the agent is considered morally responsible for a reprobable action, he is not automatically blamed. This is the case of mixed actions, performed "under compulsion", where the agent may be absolved of blame or even praised, even though the remains morally responsible for the action performed. We can therefore conclude that even though moral responsibility is necessary in order to ascribe blame or praise to an agent, it does not entail any of them (Zimmerman 1985, 355). This also means that while we have an invariant set of conditions in order to assign moral responsibility (Warmke 2011), the criteria used to ascribe blame or praise are variable and context-dependent.

1.2. Individual Moral Responsibility from a Contemporary Perspective

Current interpretations on attributions of moral responsibility generally follow the Aristotelian analysis from the *Nicomachean Ethics* depicting the necessary and sufficient conditions for ascribing praise or blame to an agent for his specific actions, with only few exceptions (Smiley 1992; Strawson 1993). There are mainly two approaches in this regard.

On the one hand, a good part of such interpretations start from specifying *excusing conditions* which absolve the agent of moral responsibility, as his action is considered to be involuntary action. As in the Aristotelian analysis, this covers two possible situations, in which the agent either acts "by force" or "because of ignorance". As a result, scholars then undergo an effort in trying to delineate the conditions which are required in order to consider an agent as morally responsible for his actions, so as he cannot invoke one of the two excusing conditions. That is, the agent must **act freely** (what was termed as "the freedom-relevant" condition (Warmke 2011)) and **knowingly** with respect to the implications of his action ("the epistemic" condition (Idem)).

An important highlight concerning this first category of such current approaches to individual moral responsibility is that each of the two conditions specified actually includes two further aspects identified in the Aristotelian analysis. First, the **freedom relevant condition** (or freedom of action) covers

both the Aristotelian requirement that the agent does not act *by force*, in that he can control the circumstances of the action (De George 1999) or has alternative possibilities of action (Frankfurt, 1969; Fisher and Ravizza 1993; Smythe 1999; Woodward 2007) and that he does not act *under compulsion* (Clarke 1992; De George 1999; Thompson 1980; Wiederker and McKenna 2003).

Second, the **epistemic condition** covers both the Aristotelian requirement that the agent acts *knowing* the context or results of his action (De George, 1999; Fischer and Ravizza 1993) and the requirement that he possesses an advanced level of moral understanding (Clarke 1992; Corlett 2009; Fischer and Ravizza 1993; Wiederker and McKenna 2003), which is more or less the equivalent of the Aristotelian specification of *deliberate decision*. Therefore, this first direction of approaching the problem of moral responsibility ascriptions which focuses on two necessary conditions, namely the freedom-relevant and the epistemic condition covers all four aspects depicted by Aristotle with reference to voluntary action and deliberate decision.

On the other hand, another part of current interpretations concerning individual moral responsibility simply *reiterates*, in a more or less faithful way, the three conditions specified in the *Nicomachean Ethics* for voluntary actions, as well as the supplementary condition for deliberate decision. In this respect, scholars speak of the voluntary character of the agent's action as including the necessity for *intentional* acting (Corlett 2009; De Leede, Nijhof and Fisscher 1999; De George 1999; Zimmerman 1997), which for some scholars equals with saying that the agent acted both *willingly* and *knowing* the particular circumstances of his action (De George, 1999), while for others (Shaver 1985) equals with the idea of choice or deliberate decision. Knowledge of particular circumstances and consequences of one's action is further highlighted by several scholars (Bovens 1998; Corlett 2009; De Leede, Nijhof and Fisscher 1999; Pettit 2007; Shaver 1985; Zimmerman 1997) in discussing the necessary conditions for moral responsibility ascriptions.

Moreover, they refer to the necessary condition that the agent *caused* the action (Corlett 2009; De George 1999; Pettit 2007; Shaver 1985), or that the agent acted *freely* (Zimmerman 1997), a condition further linked with two aspects of the Aristotelian analysis, namely that the agents acts without coercion (Shaver 1985; Pettit 2007) or external force. In addition to this, scholars point to the agent having the necessary mental capacity (Bovens 1998), or the capacity to evaluate available options (De Leede, Nijhof and Fisscher 1999), a condition equivalent with the idea of deliberate decision put forward in the *Nicomachean Ethics*.

II. Proposal on the Necessary Conditions for Moral Responsibility Ascriptions

Based on these current interpretations on moral responsibility ascriptions and on the previous analysis of the Aristotelian discussion of virtues and vices, I suggest the following set of necessary and sufficient conditions in order to consider an agent as morally responsible for an action. This set mainly follows the Aristotelian line of thought, but at the same time attempts to adapt the language to current concerns, while also making more explicit some of the claims from the *Nicomachean Ethics*. As such, in the interpretation which I am advancing, a morally responsible agent who is to be regarded, depending on context, as blameworthy or praiseworthy for his action, needs to:

- a. Have a causal connection, be it direct or indirect, with the result of an action/ omission;
- b. Possess the relevant information concerning the factual context of his action / inaction;
- c. Act based on his own will/ intention, without physical or psychological coercion;
- d. Have the capacity to evaluate the significance and implications of his action / inaction in view of the purpose followed.

The first three conditions are the equivalent of the Aristotelian criteria for voluntary action, while the last condition reiterates the supplementary condition of deliberate decision advanced by Aristotle in order to ascribe blame or praise to an agent.

In the interpretation that I am advancing, the first condition, regarding the *causal connection* between the agent and the action under evaluation is weaker than in the Aristotelian framework and creates room for an *indirect*, mediate causal relation, not only a direct one. There are often situations when, for instance, an agent's decision generates effective consequences which are actually physically carried out by some other agent (usually in organizational settings) – this is a typical case which requires enlarging the causal connection condition to include not only direct, but also indirect causal contributions of the agent. Moreover, in specifying this condition I have included *omissions*, which I find to be equally relevant as actions, as long as they are based on the agent's intention. At the same time, the condition evaluates not only the action / inaction itself, but also its *results* (consequences or implications) as long as they can be foreseen by the agent at the moment he acts.

While the second condition concerning the agent's *knowledge of contextual circumstances* of his action remains similar to the interpretation from the *Nicomachean Ethics*, I have modified the third condition concerning the agent's action free of compulsion as *intentional action* without any physical or psychological coercion.

The additional condition formulated by Aristotle, concerning *deliberate decision* as a criterion for ascribing blame or praise to an agent, is rendered in the interpretation I am advancing as the agent's capacity to *evaluate* the significance and implications of his action or inaction. However, the significance of this fourth condition for moral responsibility ascriptions remains the same as in the *Nicomachean Ethics*, namely the idea to accept in the realm of moral responsibility only those agents who have the capacity to evaluate the implications of their own actions (excluding children or persons who are mentally challenged).

To conclude, in the interpretation that I am advancing, ascribing moral responsibility to individual agents is equal to saying that the agent satisfied the necessary and sufficient conditions defined in Aristotelian tradition, with some annotations mentioned above. But what is the case for situations when individual agents act collectively such that the result of their joint action cannot be exclusively linked to the additive contribution of the agents involved, but rather to the collective effort? I will now turn on discussing *collective moral responsibility*, that is, ascriptions of moral responsibility which target collective agents and I will focus on the particular case of corporate organizations.

III. From Individual to Corporate Moral Responsibility

Are corporations in themselves moral agents similar to the way their individual constitutive members are? Can we speak of the moral responsibility of corporations the same way that we speak of the moral responsibility of individuals? In trying to find an answer to these questions, in this section I will be inquiring whether corporations in themselves are capable of moral actions. To that end, I will ignore ontological, methodological and practical arguments put forward in supporting or denying the status of corporations as moral agents and I will focus instead on analyzing if the conditions previously specified for individual moral responsibility are also valid for corporate moral responsibility. To put it differently, are collective agents such as corporations capable of satisfying the necessary conditions for moral responsibility ascriptions as discussed for individual agents?

III.1. Individualist vs. Collectivist Positions

In discussing corporate moral responsibility, namely whether we have good grounds to speak of corporate (collective) moral agency, scholars generally start from those conditions that an individual human agent must meet in order to be attributed moral agency in the Aristotelian tradition and then

inquire if corporations (collectives) also meet those conditions (Hasnas 2010; Held 1986; Phillips 1995).

The two major answers (positive and negative) offered to this type of inquiry set the ground for the well-known *individualist-collectivist debate* on moral agency. On the one hand, individualist arguments point to the fact that, unlike individual human agents, corporations do not satisfy the conditions for moral responsibility ascriptions, for they have a different status. On the other hand, collectivist arguments hold that collective agents such as corporations display enough similarities with individual human agents in order to satisfy the conditions for moral responsibility ascriptions. Though supporters of each side use various nuances in the arguments they put forward, I will only be interested here in highlighting the points made with reference to the Aristotelian-based conditions for individual moral responsibility.

Causal contribution. One of the conditions discussed by the individualist and collectivist arguments concerning corporate moral agency regards the causal contribution of the agent for a particular action. In order to speak of causal contribution, it is first necessary that corporations have the capacity to act. On the one hand, proponents of an individualist stance hold that only individual agents of corporations are able to act (Velasquez, 1983) and therefore to make a causal contribution, as it is them who actually perform the action attributed to corporations. On the other hand, proponents of a collectivist stance hold that corporations are able to act based on *Corporate Internal Decision Structures* (French 1979), which define a highly organized internal process of decision making that is more than the mere sum of individual decision-making processes and that manages the knowledge, perceptions and motivations of individual members, so as to result in a corporate decision.

Intentionality. Another condition discussed by the individualist and collectivist arguments concerning corporate moral agency regards the agent's intentionality. In this respect, individualists argue that organizations do not display intentionality (Keely 1970; Ladd 1979) as we do not have a corporate "mind" to control collective actions (Velasquez 1983) – we cannot identify at corporate level the connection between intentionality and action present in the case of individual human agents. Moreover, even though corporations could be capable of action, they cannot act intentionally (Corlett 2001) – it is the individual members who act intentionally on behalf of organizations. In turn, collectivists argue that corporations are able to act intentionally as a result of the internal decision making process (French 1979), which allows for attributions of moral responsibility.

Possessing the necessary control. One last condition put forward in the individualist-collectivist debate on moral responsibility is whether the corporate agent has the kind of control over his actions required for ascriptions of moral responsibility. Individualists hold that there is a fundamental distinction between individual agents and corporate agents which bounds us to deny moral responsibility ascriptions to the latter. Namely, organizations are not ends in themselves, but are rather created by individual members to achieve a specific end (Wilmot 2001) and this means that the corporate agent lacks the necessary control over his own actions which is required by moral responsibility (Makela 2007).

In reply, collectivists hold that there are enough similarities between individual agents and corporations in order to ascribe to the latter the kind of necessary control and this is a consequence of the fact that corporations are made up from individual human agents (Goodpaster 1983). Scholars (Goodpaster and Matthews 2001) refer here to both cognitive attributes (rationality, perceptions, coordination) and moral aspects. In addition to this, collectivists argue that corporations are able to display a decision making process with a moral connotation (Donaldson 1982) and, as long as they are able control both corporate acts and the structure of policies and rules generating these acts (Idem), corporations possess the necessary control to be ascribed moral responsibility.

Having now framed the individualist-collectivist debate on corporate moral agency based on Aristotelian-type conditions for ascribing moral responsibility to individual agents, we are now facing the challenge of taking stance with one side. However, I consider that this type of debate is not one which can be settled down by finding one decisive argument or set of arguments favoring one position or the other. The supporters of the individualist and collectivist stance seem to reiterate the nominalist-realist dispute (Soares 2003), with the former holding that corporations are mere aggregations of individual members and the latter arguing that the meaning of the corporation goes beyond summing-up its individual constituents.

Beyond this characterization of the individualist collectivist debate, I consider that the proponents of the two sides are situated in different *paradigms* (Kuhn 1970). This also helps us explain why it is basically impossible to quantify the arguments put forward by each side: they are incommensurable. But with the growing public concern on corporate morality, we may be on the verge of facing, as Kuhn puts it, a paradigm shift, where corporations may finally be accepted in the moral realm. Is there a way to do this?

III.2. A Proposal in Favor of Treating Corporations as Moral Agents

In the interpretation I am advancing, corporations can satisfy the Aristotelian-based conditions for moral responsibility ascriptions and they are able to do so based, on the one hand, on their status of *secondary moral agents*, and on the other hand, on their characteristic structure with *corporate practices*. Before going into details, a necessary explanation concerning our individualist assumptions in interpreting moral responsibility is needed.

Previous accounts discussing corporate moral responsibility – either from an individualist or collectivist stance – generally share one common assumption: that the moral criteria used as a benchmark for responsibility ascriptions should be of an *individualistic nature* (Kuts 2000). This leads many of the collectivist scholars to undergo a consistent effort in trying to find as many as possible common characteristics between collective, corporate agents and individual human agents in order to make room for corporate moral responsibility. But this type of approach is problematic: for instance, individualist concepts of action and responsibility are at least partly inadequate when it comes to collectives such as corporations (May 1987). Corporations exhibit a certain structure which is defining for their behavior, as well as for corporate members' intentions, actions or interests (Idem).

It may therefore be more advisable to treat the moral responsibility of corporations in its own terms, without trying to simply *transfer* the criteria or conditions for individual moral responsibility to the collective level. We should rather see what a judgment concerning a corporate agent means for the corporation itself, and not what this means for individual members and then transfer the conclusions at collective level (Held 1985). What I am suggesting here is, however, not to deny previously-discussed conditions for individual moral responsibility, but rather to adapt them to collective settings (May 1987) by integrating the specific corporate status and structure.

Corporations as secondary moral agents. Collectives such as corporations have a special status given that they have *second-order autonomy* (Isaacs 2006): although they are not able to determine the purpose for which they were created, they do possess the means to pursue that purpose. Going back to the Aristotelian discussion of deliberate decision in the *Nicomachean Ethics*, the following connection can be drawn. When it comes to deliberate decision, Aristotle states that the agents do not deliberate on the end, which is already determined at the moment the agent needs to deliberate, but on the “necessary means to achieve it” (1112b,15). Similarly, even though corporations are not able to determine their general purpose or end, they do take deliberate decisions on a daily basis concerning various courses of actions, given their CID structures (French 1979). But these decisions are more than simply aggregates of individual deliberate decision for they pursue a corporate, collective interest.

Corporations act therefore as *secondary moral agents* (Werhane 2006), only capable of secondary action (Copp 1979) based on the actions of their individual members. I therefore support a similar interpretation to the one advanced by Werhane (1985) concerning the status of corporations, where *ontological individualism* (in that corporations are not real persons, they exist only in virtue of their individual members) is combined with *methodological collectivism* (in that corporations are more than the mere sum of individual members and their actions are not completely reducible to actions of constituting members). In this way, the point of view I am advancing escapes ontological commitments concerning corporations as reified entities (contra French 1979) and accepts that corporations are ontologically dependent on their constituting members (May 1987).

But accepting the status of corporations as secondary moral agents based on their second-order autonomy does not reduce or deny moral responsibility ascriptions to corporations, for it does not imply that corporations are completely reducible to their members. Although they do not exist and act other than through their individual constituents, corporations are complex structures which cannot be fully captured by simply summing-up the actions of individual members. Corporate actions and decisions are more than simply stating that individuals x, y, z have performed a certain action: for instance, polluting a river with chemicals is usually the result of a complex organizational process, not only the result of the joint action of several individual members of the corporation. As long as the corporation has procedures which allow or even encourage such immoral action, there is an overall corporate moral responsibility to be discussed.

Corporate practices as defining the collective structure. Corporations as secondary moral agents are characterized by a specific structure, and this is given by what Kaptein and Wempe (2002, 146-149) call *corporate practices* and which “include the tasks, responsibilities and procedures, relationships, norms and values, etc. that are *actually* expressed in the actions of organizational members”. Corporate practices are formed by two types of organizational structuring mechanisms: on the one hand, the corporate structure or formal dimension (with tasks, responsibilities, rules, procedures); on the other hand, the corporate culture or informal dimension (ideas, expectations and customs).

The importance of corporate practices comes from the fact that they generate the *context* in which individual action takes place, therefore we may have immoral corporate practices but moral individual actions and vice versa. Corporations are able to control and change these practices (Donaldson 1982; Fisse and Braithwhite 1993) through their Corporate Internal Decision structures (French 1979), which are “prescriptive, not only descriptive”, in that they tell individual members how they *should* behave (French 1995).

Satisfying the conditions for moral responsibility. Based on the previous two points, namely, accepting the status of corporations as secondary moral agents and defining their structuring mechanisms through corporate practices, I consider we are now able to argue that corporations *can* satisfy the conditions for moral responsibility ascriptions as previously defined in section II of this paper. This implies, of course, adapting to a certain extent these criteria so as to accept that, on the one hand, corporations act through their constitutive members and, on the other hand, corporations may be evaluated based on their practices in terms of corporate structure and culture.

In this context, corporations are able to satisfy conditions 1 and 3 previously defined as they are capable of *causal contribution* and, respectively, *intentional action* through their constitutive members. In the first case, we speak of mediate causality, as the corporate decision is carried out through individuals, based on CID structures and complex procedures of implementing corporate decisions (French 1979). In the second case, corporations are able to perform actions based on a collective intentionality which is generated free of physical or psychological constraints, inasmuch as individual intentionality is generated this way. One additive point here is that sometimes corporate intentionality may differ from individual intentionality or interest (Pettit 2007), for instance when some individuals are being fired (here the corporate intentionality leads to dismissal of underperforming employees, against their interest and intentionality).

Moreover, corporations are able to satisfy conditions 2 and 4 previously defined given the way corporate practices act as mechanisms which structure collective action. In the former case, corporations are able to *possess all the relevant knowledge* in a given situation, based on a complex institutional process of data management. Corporations exhibit such complex knowledge in everyday activity when, for instance, in the process of reaching a corporate decision to act in a particular way, an impressive amount of information is gathered (Soares 2003). In the latter case, organizations are able to *evaluate the significance and implications* of some corporate action or inaction relative to a goal, as we may identify organizational processes of decision-making (French 1995) which determine a certain corporate course of action to the expense of another. Corporate decisions are made every day and there is usually a complex deliberative process behind them, through which the significance and impact of each such decision is being closely evaluated.

A real-life example might prove useful to illustrate the argument for accepting corporations as moral agents, based on their capacity to satisfy the Aristotelian-type conditions for moral responsibility ascriptions listed above. Let us take a multinational company producing coffee, which is listed on the stock exchange and is under public scrutiny for sourcing coffee unethically, that is, by ignoring fair trade practices concerning the working conditions and salary of employees from third-world markets (where strict legislation is missing). Is

moral responsibility for such immoral practices to be ascribed to individual members of the corporation or rather to the corporation *per se*? I argue in favor of the latter: we speak here of a *corporate* decision to act in such immoral ways. Of course, the corporate decision results from various individual decisions and the resulting corporate act is based on individual action. But this cannot be reduced to saying that specific individuals decided or acted in a certain way, for this would imply missing the entire collective context which generates such decisions and actions.

So how is this company producing coffee actually satisfying the conditions for moral responsibility ascriptions related to the action of adopting immoral working practices? First, it *causes* such immoral actions through a mediate contribution, that is, by adopting the decision to act in this way, a decision which is then carried out by designated individuals. Second, it is able to *act intentionally*, given that such decision is the result of its internal decisions making structures which shape individual intentionality so that they reach the very decision which best satisfies the corporate interest. Third, it *possess all the relevant knowledge* in order to reach and implement this decision, based, for instance, on a research of existing legislation balanced against economic advantage in terms of its share value on the stock exchange. Having met the conditions for voluntary action as set within the Aristotelian framework, the company producing coffee also displays deliberation, as it *evaluates the significance and implications* of its action when adopting immoral working condition: based on its decision-making processes, the corporation adopts this immoral course of action to the expense of respecting fair trade practices in third-country markets.

IV. Conclusion

Throughout this paper I have discussed the topic of *moral responsibility ascriptions* in view of arguing whether collective agents such as corporations are able to bear moral responsibility for outcomes in corporate settings. To that end, I have first analyzed the Aristotelian conditions for ascribing blame or praise to an agent and concluded that individual agents are morally responsible for an action as long as they have acted *voluntarily* (that is, they caused the action while knowing the particular circumstances of their action and acted without coercion) and as a result of *deliberation*. I have subsequently discussed current interpretations over such conditions and made several connections with the Aristotelian framework of moral responsibility ascriptions to individual agents.

Moreover, I have advanced my own interpretation concerning the criteria for individual moral responsibility, in which I tried to adapt and enrich the Aristotelian framework as related to our current concerns on the topic. In this

respect, I have included in the sphere of the voluntary not only the agent's actions but also *omissions*, while also making room for the *indirect*, mediate causal contribution of the agent to an outcome. At the same time, I have discussed the agent's deliberation as his capacity to *evaluate* the significance and implications of his action or inaction.

Going from individual to collective moral responsibility, I have focused on a specific type of collectives, namely corporations, and inquired whether they are able to satisfy the conditions for moral responsibility which we use in the case of individual human agents. With this in mind, I first discussed the way the individualist-collectivist debate treats such conditions when it comes to corporations. I then criticized the *individualist assumption* behind this type of argument, arguing against such an approach which simply translates these conditions from the individual to the collective level. I finally advanced an interpretation in favor of ascribing moral responsibility to corporations based on their status as *secondary moral agents* and their specific structuring mechanisms given by *corporate practices*. In this interpretation, corporations are able to satisfy the conditions for moral responsibility ascriptions, as long as we accept that they operate differently than individual agents and deserve to be treated accordingly, adapting our individualistic concepts so as to fit them into the moral realm.

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