

Please consider joining us on 2 September for a workshop on

The Use and Abuse of Juridical Personhood

A “juridical person” is a non-human “person,” posited by law, that owns property and enters into contracts in its own name, similar to a natural person. This includes states and business corporations (aktiebolag), but also private universities (such as Oxford and Stanford), private hospitals, foundations, and many other NGOs. Although we think of modern society as individualistic, in the realm of property, it is not. Almost all organizational property (government property, church property, civil society property, and business property) is now owned, not by natural persons (kings, clerics, philanthropists, and capitalists), but by juridical persons, such as states and corporations. Property has been “socialized” by being “personified.”

Juridical personhood has become so pervasive because it is so powerful. Placing property with an undying juridical person allows property to be dedicated in perpetuity to a specific purpose (such as education, or the public welfare), vastly increasing the potential duration and scale of human undertakings. It also allows owner autocracy to be replaced by constitutional and electoral forms of control, potentially improving organizational governance. And it allows liability to be shifted from natural persons to juridical persons, increasing risk-taking; things therefore get done that otherwise would not be dared. In each of these respects, entity ownership augments collective power—the ability of groups to attain their goals.

But each of these advantageous uses has downsides and abuses. The increased scale of organizations overawes the individual, increases the power to harm, and replaces face-to-face norms with anonymous transactions. Organizational governance may remain autocratic, with all augmentations of collective power concentrated at the top. And shifting liability to juridical persons creates “moral hazard,” the willingness of groups to cause harm because free of the consequences.

Presenters at this workshop come from different disciplines; but these disciplines confront comparable dilemmas raised by juridical personhood. The workshop aims to thematize these common dilemmas, develop a common vocabulary for discussing them, and share strategies for handling them.

Sponsored by the Uppsala Forum and hosted by the political science department, with multidisciplinary participation from the departments of Political Science, Law, Business, Education, History of Science and Ideas, and we hope others as well.

If you would like to present a paper for discussion, please notify the workshop convenor, David Ciepley, at davidciepley@gmail.com, by August 21. Papers are to be no more than 5 to 10 pages in length, presenting your leading ideas, and are to be submitted in advance by August 27. Auditors are very welcome and may also contact the convenor, so that we have a reasonably accurate headcount.

Location: Gyllenhielska library, in the Skytteanum

Date: 2 September

Time: 9:00 to 17:00, with lunch break