

Androids and Corporations: Why Their Rights Derive from Purpose

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ABSTRACT

Understanding the normative structure of corporate purpose clarifies the limits for assigning moral rights to business corporations. Two kinds of confusion arise when thinking about moral agency and corporations. The first is the simple mistake of concluding that because something is not a human person, it therefore lacks a particular right. The second is interpreting corporations as ontological black boxes that allow the imposition of any kind of moral property. A careful analysis of the normative dimensions of corporate purpose dispels both confusions by setting preconditions for the assignment of rights to corporation. It shows, for example, why the assignment of either the moral right of religious freedom or of political expression to business corporations makes no sense.

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Sushi restaurants array plastic sushi on plates for passing customers. Robots amble through living rooms dusting vases and sweeping floors. Neither the designers of plastic food nor of house-cleaning androids are confused about which characteristics of real food or of real people deserve replication. Form, they know, must fit function. The food must look real, but must not rot. The robot must dust the vase, but not destroy it. But as clear as this example is, in the context of corporate moral agency we seem doomed to confuse form and function.

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We fall prey to two kinds of confusion when thinking about the issue of moral agency and corporations. First, we commit simple logical fallacies related to the corporate *persona ficta*, such as denying the antecedent. From “if P then Q” it does not follow that “if not P then not Q.” From the proposition, “if something is a human person, then it has the right to religious freedom,” we cannot conclude that “if something is not a human person, it lacks the right to religious freedom.” It may or it may not. An extreme version of this mistake is the claim sometimes heard in the early literature on moral agency, namely that if corporations are not people, then they are like machines or stones. Machines and stones have no rights or responsibilities; ergo corporations have no rights or responsibilities. As we shall see shortly, this conclusion is mistaken. This is the first kind of confusion.

The second kind of confusion is closely related. It is a follow-on error about interpreting the *kind* of moral agent that the corporation is. Corporations are frequently interpreted as ontological black boxes that allow the imposition of any kind of moral property that comes to mind, e.g., religious or political rights. They are interpreted in this way as being morally obscure in ways that frustrate setting limits on the moral properties they enjoy. One downside of this approach is that the corporation becomes prey to the ideological and political biases of powerful interests. Granting that a corporation is not a human person rules nothing out for the moral qualities it may or may not have. Avoiding the first kind of confusion, one may be tempted to abandon any attempt to specify what sort of agent the corporation is, and move immediately to the task of moralizing about its specific rights and responsibilities. This, as I will show, is also a mistake.

I begin by establishing why it is important to determine that the corporation is a particular kind of entity, namely, a sophisticated functional artifact. Seeing it as a sophisticated functional artifact means analogizing its moral characteristics along the lines of a complex, thinking machine, e.g., an AI mechanism. In turn, one can then specify a set of moral characteristics that properly belong to this kind of sophisticated functional artifact by analyzing its particular function or purpose, just as we might identify specific moral properties appropriate for a particular action, function, or command of AI. The analogical moral characteristics possessed by a sophisticated functional artifact, such as a corporation or a robot, will depend on the purpose the artifact is designed to fulfill. Doing so in the case of the corporation has one great advantage: we jettison the black box and draw instead upon existing theories of corporate purpose. The analogical moral properties of a corporation should, I argue, be derived from a corporation’s purpose.

In the final section I sketch an outline of what follows from an interpretation of corporate purpose. One upshot, which will surprise many, is that a business-to-business ball bearing manufacturing firm may adopt a bare Friedmanite purpose, having narrow Friedmanite obligations, even as a hospital or pharmaceutical firm must adopt a richer double-sided purpose that includes the value of health.

This analysis holds obvious implications for the limits of assigning rights to corporations. Assigning many rights, including those of religious freedom and

political expression, to business firms, I argue, makes no sense because doing so misfits these moral properties to business.

I. BACKGROUND

An obvious question is whether the corporation can qualify as a moral agent, that is, as an entity capable of genuine moral action. Not all things that act are moral agents. For example, machines move and act—with robots now achieving amazingly sophisticated behavior—yet we cannot blame an automobile or robot in the same manner that we blame a human being. If a self-driving car kills a pedestrian, we refrain from ascribing moral responsibility to the car. Instead, we ascribe moral responsibility to the designers of the car. Judges might sentence the designer of a robot or car to prison, but they would not sentence a machine.

Considered a *persona ficta* in the law, the corporation by definition is a single agent (actor). Corporations reflect many “human” characteristics. They can do many of the things that humans can: they can own property, enter into contracts, and be liable for damages. Moreover, corporations are made up of individual human agents, and unless these human agents engage in actions, that is, unless employees and owners act, then corporations cannot. But at this point the analogy begins to break down. Corporations do not walk on two feet and are incapable of experiencing emotions or living in families. Corporations do not cry at funerals, do not marry, and cannot bear children. Most corporations possess decidedly inhuman capacities: they are typically granted limited liability (for the investors) and unlimited longevity, their financial responsibilities are bounded by the level of their invested capital, and they can “live” forever.

A cursory glance at the similarities and dissimilarities between corporations and people raises an obvious question: “Can corporations truly be morally responsible?” Or, instead, are corporations more like machines, or like puppets: things that move but only through the design and manipulation of human beings? Is corporate behavior ever genuine moral behavior, or is it merely the byproduct of individual employees’ behavior?¹ The answer to this question has important implications, because if the corporation is not a moral agent, then we humans, whether jurists, politicians, managers, journalists, or ordinary consumers, should refrain from ascribing responsibility to it. We should, in turn, treat it as we would a complex, powerful machine. We wisely control machines to prevent harm to humans, but we refrain from looking to them for genuine moral responsibility. Only a fool seeks responsibility from a locomotive. If corporations are like simple machines, the expression “corporate responsibility” is nonsense. It is like the expression “green idea.” The adjective “green” cannot qualify the noun, “idea.” “Corporate” cannot qualify “responsibility.”

1. See Peter A. French, *The Corporation as a Moral Person*, 16 AM. PHIL. Q. 207 (1979); Amy J. Sepinwall, *Blame, Emotion, and the Corporation*, in *THE MORAL RESPONSIBILITY OF FIRMS* 143 (Eric W. Orts & N. Craig Smith eds. 2017).

Beginning in 1979, moral theorists have examined these questions in detail.² Courts of law have also wrestled with the practical issue of ascribing moral qualities, such as rights, to corporations. Decisions in U.S. courts have referred to “moral” rights, as in the Supreme Court’s 2014 ruling in *Burwell v. Hobby Lobby Stores*³ and its 2010 ruling in *Citizens United v. Federal Election Commission*^{4,5}. The Court has ascribed “unlimited amounts” on ‘independent’ political speech” (*Citizens United*),⁶ and the right to “exercise religion” to corporations (*Burwell v. Hobby Lobby Stores, Inc.*).⁷

A small minority of theorists deny that any sort of moral agency attaches to the corporation, but a majority of theorists converge in attributing at least a few broad moral qualities to corporations, such as “responsibility” and “rights.” Some consider this attribution to be artificial, whether by way of analogy with human beings or through a special, artificially constructed notion of agency. Current debate centers less on whether corporations can be responsible at all, and increasingly on which precise moral qualities corporations share with humans. For example, Amy Sepinwall stops short of granting fully human “personhood” to the corporation but acknowledges a special form of “corporate moral personhood,” a form to be filled in by the results of moral argument and deliberations. This acknowledgment of the special category of moral agency appropriate for the corporation is consistent with most other theorists.⁸

II. JUST WHAT IS A CORPORATION?

When determining which moral properties properly belong to the corporation, one should avoid asking immediately whether this or that moral property properly belongs to the corporation, and first ask about the ontological status of the corporation. The answer to this question should help frame any follow-on moral deliberation about which moral properties to include or exclude. Without this step, deliberation about the moral properties of the corporation occurs in a vacuum. Without this step, it becomes possible to frame the question with unlimited range,

2. See generally THOMAS DONALDSON, *CORPORATIONS AND MORALITY* (1982); PATRICIA HOGUE WERHANE, *PERSONS, RIGHTS, AND CORPORATIONS* (1985); Denis G. Arnold, *Corporations and Human Rights Obligations*, 19 BUS. & HUM. RTS. J. ABNORMAL & SOC. PSYCHOL. (2016); Peter A. French, *Integrity, Intentions, and Corporations*, 34 AM. BUS. L. J. (1996); Michael B. Metzger & Dan R. Dalton, *Seeing the Elephant: An Organizational Perspective on Corporate Moral Agency*, 33 AM. BUS. L. J. (1996); Amy J. Sepinwall, *Denying Corporate Rights and Punishing Corporate Wrongs*, 25 BUS. ETHICS QUARTERLY (2015); Sepinwall, *supra* note 1; George W. Watson, et al., *Connected Moral Agency in Organizational Ethics*, 81 J. BUS. ETHICS (2008).

3. *Burwell v. Hobby Lobby Stores Inc.*, 573 U.S. 682 (2014).

4. *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010).

5. Margaret M. Blair, *Of Corporations, Courts, Personhood, and Morality*, 25 BUS. ETHICS Q. (2015).

6. *Citizens United*, 558 U.S. at 356.

7. *Burwell*, 573 U.S. at 684.

8. See e.g., WERHANE, *supra* note 2; DONALDSON, *supra* note 2; Arnold, *supra* note 2; CHRISTIAN LIST & PHILIP PETTIT, *GROUP AGENCY: THE POSSIBILITY, DESIGN, AND STATUS OF CORPORATE AGENTS* (2011).



and to ask, “Which of the entire pantheon of moral properties common to humans should be assigned to the corporation?” Do humans have a right to religious freedom? Then perhaps corporations should also have such a right. Do humans have a right to political participation? Then perhaps corporations, too, should have such a right.

A moment’s reflection about corporate ontology shows that a corporation is more than a moral black box. If corporations are not human persons, that is, if they are non-human entities, then what are they? Stones, flowers, dogs, planets, microbes, and machines are all non-human entities, but differ markedly from one another. This much seems certain: corporations are a form of artifact. They do not occur in nature but rather are products of human design; humans make corporations and could make them differently if they wanted. Corporate governance structures evolve not from nature, but as part of a process of human deliberation, human agreement, and specification of legal norms. Like other artifacts, corporations can possess cultural, historical, aesthetic, and functional relevance, but for our purposes it is the functional relevance that is important. Corporations are created to do certain things, such as earn money for owners and produce goods and services for society; they thus qualify as functional artifacts. In this sense,



corporations are like other functional artifacts such as snow shovels, locomotives or robots.

Granted that for reasons discussed above, rights or responsibilities akin to those of humans cannot be simply transferred to corporations; any artifactual rights or responsibilities corporations in fact possess must be derived from elsewhere, and not from the simple extrapolation of human rights. Functional relevance seems the obvious place to start, since for artifacts, form should fit function. Consider the following clashes between form and function from the website theuncomfortable.com.

Assigning to the corporation, say, the moral responsibility to refrain from adultery (as per in the Ten Commandments) or the right to social security (as per in The UN Universal Declaration of Human Rights) is a design mistake akin to the “chain fork” above. A quick glance at the fork reminds us of something familiar—a standard fork on a plate—only to realize moments later that the fork’s chain design is silly. It will not work. The fork’s design fails to fit its function. Similarly, assigning the right to social security to a corporation at first glance reminds us of the standard assignment of a right—such as a corporation’s right to contract—only to realize that such a corporate design is silly. The corporation’s governance design fails to fit its function. Form in both instances clashes uncomfortably with function.

An artifact’s given function, as well as the sophistication of that function, can vary widely. True, the corporation is a functional artifact in the same class as snow shovels and locomotives. But the corporation is more than a snow shovel or locomotive. It is a complicated, decision-making sort of artifact. It stands as a sophisticated functional artifact—and in this sense is more similar to an instance of complex, decision-making AI than to a snow shovel.

The analogy with AI is fruitful. Again, with corporate moral design, moral form should fit moral function. Consider a future traffic-directing robot in the streets of New York City. The limited analogical “rights” of a traffic-directing

robot, say, the right not to be struck by passing cars, should be specified with the robot's function in mind and limited to that function. We do not ask whether the robot should also have the right to walk off to the voting booth on election day and submit its vote on behalf of a political candidate, even though it may be capable of doing so. That political right cannot be derived from the robot's function. Nor do we ask whether it should have the right to religious freedom and attend the church, mosque, or temple of its choice. That right, too, cannot be derived from the robot's function. Similarly, the moral properties of the corporation, as a sophisticated functional artifact, should depend ultimately on its function, or what amounts to the same thing: upon its "purpose." The rights of a corporation must be derived from the corporation's purpose, and limited to that purpose.

Hence, it follows that answers to the question of the moral properties of the corporation depend ultimately on the best answers we can give to a question currently under debate, namely, "What is the purpose of the corporation?" These answers will define positively what rights and responsibilities the corporation should have, and negatively what rights and responsibilities it should not have.

III. THE PURPOSE/FUNCTION OF THE CORPORATION

Figure 1 (below) identifies some of the most popular interpretations of corporate purpose.⁹ An important distinction separates the "classical" and "neoclassical" views. The distinction marks off those views that interpret shareholders' interests as the ultimate and only basis for evaluating the success of corporate activity, views known as "shareholder primacy," from those that add to that basis interests of "stakeholders" such as customers and employees. Some theories of corporate governance whose creators identify as descriptive instead of normative, nonetheless are commonly interpreted to have normative import and comfortably fit in the classical category. The most important of these is the interpretation of transaction cost economics from Oliver Williamson.¹⁰ Kramer's and Porter's work falls somewhere in between the classical and neoclassical perspectives.¹¹

The distinction between classical and neoclassical views, however, is less important for our purposes than the distinction between single and multiple objectives. Stakeholder models clearly fall in the latter category; they understand the

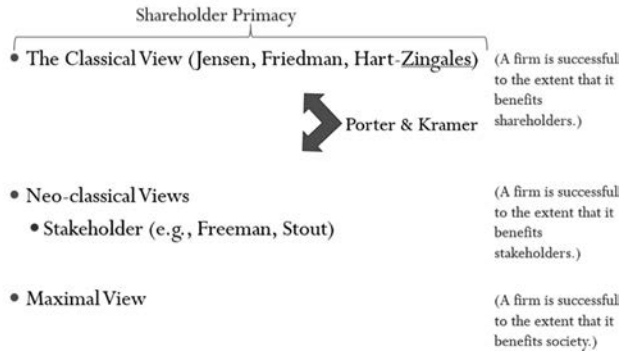
9. Michael C. Jensen & William H. Meckling, *Theory of the Firm: Managerial Behavior, Agency Costs and Ownership Structure*, 3 J. FIN. ECON. (1976); Oliver Hart & Luigi Zingales, *Serving Shareholders Doesn't Mean Putting Profit Above All Else*, HARV. BUS. REV. (Oct. 12, 2017), <https://hbr.org/2017/10/serving-shareholders-doesnt-mean-putting-profit-above-all-else> [<https://perma.cc/7ZF4-X9M3>] [hereinafter *Serving Shareholders*]; Oliver Hart & Luigi Zingales, *Companies Should Maximize Shareholder Welfare Not Market Value*, 2 J. L., FIN., & ACCT. 247 (2017) [hereinafter *Shareholder Welfare*]; Margaret M. Blair & Lynn A. Stout, *A Team Production Theory of Corporate Law*, 85 VA. L. REV. (1999); R. Edward Freeman, *Managing for Stakeholders*, in *ETHICAL ISSUES IN BUSINESS: A PHILOSOPHICAL APPROACH*, 39 (8th ed., 2007).

10. Oliver E. Williamson, *The Theory of the Firm as Governance Structure: From Choice to Contract* 16 J. ECON. PERSPECTIVES (2002); Thomas Donaldson, *The Epistemic Fault Line in Corporate Governance*, 37 ACAD. MGMT. REV. (2012).

11. Michael E. Porter & Mark R. Kramer, *Creating Shared Value*, 89 HARV. BUS. REV. 4–17 (2011).

[Fig.1]

Corporate Purpose: Some Major Theories



purpose of the corporation to be multi-targeted. However, even classical views can be multi-targeted. To be sure, Milton Friedman’s well-known view is simple and single-targeted. He defends “shareholder financial primacy” and deems the financial interests of shareholders to be the exclusive objective of the corporation. However, Friedman’s simple view has been criticized by two well-known economists, Oliver Hart and Luigi Zingales, who ask, “What is the appropriate objective function for a firm? . . . [The] maximization of shareholder welfare is not the same as maximization of market value.”¹² Moreover, they write:

Shareholders care about more than just money. Many shareholders pay more for fair-trade coffee, or buy electric cars rather than cheaper gas guzzlers, because, using the current economic lingo, they are *prosocial*. They care, at least to some degree, about the health of society at large. Why would they not want the companies they invest in to behave similarly?¹³

Thus, even the normative view of shareholder primacy includes multiple objectives when understood through a more sophisticated interpretation. This in turn spells trouble for attempts to derive rights and obligations from any of the popular normative views of corporate purpose. When it comes to identifying moral properties in the context of purpose, the water is muddied by multiple ends. One might ask, what specific rights and responsibilities could ever be derived from the broad purpose of satisfying any moral, aesthetic, or financial values that shareholders happen to want satisfied, let alone considering not only the values of shareholder group, but of other stakeholders such as customers and

12. *Shareholder Welfare*, *supra* note 9.

13. *Serving Shareholders*, *supra* note 9.

employees? Some shareholders (or other stakeholders) may happen to want their corporation to restrict gay marriage; others may want it to advance libertarian political causes. The sky is the limit. The list of necessary rights and responsibilities to accomplish an endless list of tasks is itself endless and offers no means of fencing legitimate corporate activity off from the illegitimate. In other words, unless one wants to endorse the threadbare version of corporate purpose advanced by Friedman, one is stuck with viewing firms as having an unlimited number of objectives, and this makes deriving moral properties difficult if not impossible. Both prevailing normative models, i.e., shareholder primacy and stakeholder theory, are multi-targeted in this sense. The upshot is that the strategy outlined previously, of “fitting” rights and responsibilities to a corporation’s function or purpose, wrecks on the rock of unlimited objectives.

IV. THE POLYLITHIC CONCEPTION OF CORPORATE PURPOSE

Jim Walsh and I have argued that the monolithic conception of corporate purpose or purposes is flawed. Corporate purpose, whether single or multi-targeted, should be understood as being polyolithic,¹⁴ which means that we ought not assume that all corporations should have the same purpose or set of purposes. Too many theorists assume monolithic purpose—one that attaches to all business firms—and, having determined that “purpose of the firm,” they proceed to apply it to the entire business system. In doing so they commit a version of the composition fallacy; they attribute the purpose of the firm to business in general by inferring that this monolithic purpose of the firm can be transferred directly to understand the purpose of all business. From our perspective, this is backwards. One must first answer the question, “What is the purpose of business?”, and then apply the answer to individual firms.¹⁵

The purpose of business, Walsh and I argue, is to optimize “collective value” through the three distinctive functions of business activity—namely exchange, production, and distribution. Collective value, in turn, is understood as “the agglomeration of the business participants’ benefits where benefits are understood through the contributions made by business to the satisfaction of business participants’ intrinsic values.” “Intrinsic value,” which is the lynchpin of the normative purpose of business, is itself understood as a first-order, non-derivative value, such as health, justice, or privacy. In sum, optimized collective value understood through the concept of intrinsic value is the mark of business success.¹⁶

This understanding of the purpose of business removes the presumption that all individual business firms share a similar purpose, albeit one that is multi-targeted. It discards the monolithic conception of the firm and substitutes a

14. Thomas Donaldson & James P. Walsh, *Toward a Theory of Business*, 35 RES. ORG. BEHAV. 181 (2015).

15. *Id.*

16. *Id.* at 188.

polyolithic conception, one that envisions a panoramic ecology of firms having different individual purposes yet whose behavior nonetheless achieves optimized collective value for society. Classical Friedmanite firms may play a positive role in the ecology. Firms that single-mindedly maximize the financial welfare of their stockholders should not be excluded, at least until one can show that they cannot, in combination with other kinds of firms, achieve optimized collective. Nor is a “social impact” firm that targets the simple, benevolent purpose of bringing clean water to rural areas in developing countries to be excluded from the ecological picture. On this interpretation 1000 flowers may bloom: an ecology of different firms, rather than a monolithic collection of same-purposed firms, may best deliver collective value to society. This understanding of an ecology of firms opens the door to the identification of the moral properties that properly belong to corporations. Let us begin at the bottom of the food chain and move upwards.

At the first level of business ecology, we see that some minimal standards apply to all organizations, whether business-oriented or not. As I argued in *The Ethics of International Business*,¹⁷ bona fide international rights impose obligations on corporations as well as people. No decision-making entity escapes the burden of respecting bona fide rights. Corporations and robots are no exception. Howsoever the individual purpose of a given firm is defined, it must not discriminate on the basis of gender or race, abuse the environment, violate the right of individual humans to political participation, or violate the physical security of its employees.

Looking at the second and higher level of business ecology, the three distinctive means of business—exchange, production, and distribution—we can see that business firms should enjoy certain rights relevant to the successful pursuit of those functions. Let us assume a political economy that permits the ownership of private property. With this assumption, and without engaging in an overly laborious analysis, we see immediately that firms must be granted at least three key rights: property ownership, contracting (or promising), and serving as a fiduciary. Business firms must be granted the right to own property because this is minimally necessary to engage in the function of exchange. A corollary is that business firms must be understood as single agents in the eyes of the law,¹⁸ in so far as status as a single agent is necessary for the ownership of property (notice here, however, that property ownership demands only a slender form of agency). Next, business firms must be granted the right to contract or promise since this, too, is necessary for economic exchange—indeed, it is entailed by the concept of economic exchange. Here a corollary is that business firms must be allowed to bring suit against individuals and firms that attempt to violate contracts to which they are a party. Finally, business firms must be granted the right to serve as fiduciaries in so far as raising capital is often necessary for efficient production. Other rights may well be derived from this minimal, naked conception of the means of

17. THOMAS DONALDSON, *THE ETHICS OF INTERNATIONAL BUSINESS* (1989).

18. DONALDSON, *supra* note 2, at 36–58.

business, but these will suffice for present purposes. With the granting of each of these rights it is important to see that the extent of each right is bounded by the moral space needed to enable the means of exchange, production, and distribution. Each right is tethered to its role as a precondition for these means, with no permission to extend further.

A subordinate set of rights and obligations may, and typically does, arise with shareholders and other stakeholders through the firm's exercise of rights of property, contract, and fiduciary agency. Corporations engage directly and indirectly in contracts with shareholders and employees. One of these obligations has already been mentioned, namely, the obligations of corporations to those who provide capital. Some of these contracts are explicit and others are implicit, the latter generated by existing forms of corporate governance. In this manner, secondary obligations can arise, e.g., obligations of a fiduciary nature, such as focusing the purpose of the firm on the task of enhancing the financial interests of investors. But these moral relationships are subordinate to the limited rights justified as preconditions for the economic means (i.e., production, exchange, and distribution), which in turn are business's tools for optimizing society's collective value. They are in this way dependent for their moral authority on the earlier rationale of business firms playing a role in the business ecology that advances collective value. Organizations, qua business organizations, cannot decree willy-nilly the obligations and rights they possess.

Business in general exists to satisfying intrinsic values, and the most obvious intrinsic value that firms serve is prosperity. This value is variously labeled as overall utility, happiness, or aggregate economic welfare. Prosperity is what the generic tools of business, exchange, production, and distribution are designed to create. In the most generic sense, then, the purpose of business is an economic one, a conclusion that should not be surprising. This truth stands for all businesses, including those serving both intrinsic and non-intrinsic production goals. Firms dedicated to making ball bearings, basketballs, cameras, cars and travel brochures all contribute to raising aggregate economic welfare by being efficient and delivering their product or service at optimized price and quality.

However, at the third and highest level of business ecology one discovers special relationships between firms and particular intrinsic values. Found in this domain are businesses having such an intimate relationship to a particular intrinsic value where the value itself must coexist with, and sometimes even override, the generic value of prosperity. Obvious examples are firms in the industries of health, law, and education. Firms in these industries possess special responsibilities by virtue of the intrinsic nature of the value their defining ecological business sphere. Even were a corporate action predicted to enhance aggregate economic welfare, no amount of money, nor any subordinate commitment made to a shareholder, should trump a pharmaceutical firm's special opportunity to achieve a life-saving cure. Merck's experience achieving a cure for the disease River Blindness is a case in point. In the healthcare industry, then, the pursuit of economic efficiency must be balanced with the pursuit of the intrinsic value of

health. Similarly, law firms cannot escape the moral demand to place special emphasis on the intrinsic value of justice—even in instances where profits are at stake. So too, firms in the education business must hold the value of knowledge dear—and sometimes even dearer than rising enrollments and tuition, state financial support, and donors' wishes. This is true whether the educational organizations are for-profit or not-for-profit.

The upshot, a result that will surprise many readers, is that based on the analysis of corporate moral agency laid out above, a business-to-business ball bearing manufacturing firm might conceivably adopt a bare Friedmanite purpose, a threadbare purpose that a hospital or pharmaceutical firm should never adopt.

The above analysis holds obvious implications for the limits of assigning rights to corporations. Assigning generic rights of religious freedom or political expression to business firms makes no sense because it misfits these moral properties to business. Making sense of such rights would require that one of two arguments succeed, both of which clearly fail. The right (e.g., to religious freedom) would either need to be justified as a precondition for basic economic activity, exchange, production, and distribution, or, alternatively, justified as necessary for the pursuit of an industry-specific intrinsic value, such as health, justice, or knowledge. Neither justification makes sense.