

CALL FOR PAPERS

VULNERABILITY AND THE 'CORPORATION'

October 29 - 30, 2010

Emory University School of Law

Atlanta, Georgia

Sponsored by: The Vulnerability and the Human Condition Initiative and The Feminism and Legal Theory Project



Vulnerability, understood as a universal and constant part of the human condition, is an important paradigm within which to consider and evaluate the ways in which states respond (or fail to respond) to individual, structural and community catastrophes. This workshop will build on the notion of a responsive state and consider the relationship between corporate structures, vulnerability, and state responsiveness. In the first instance, we recognize that increasingly corporations—whether operating on a local, national or transnational basis—act in ways that can either exacerbate or alleviate human vulnerability. Corporations can cause or complicate the inherent vulnerability of their employees and their dependents, as well as exploit the ecology and vulnerability of our natural and created environments. How should the state respond to this powerful potential for benefit or harm that is lodged in a “private” institutional actor? In addition, corporations may themselves be conceptualized as vulnerable entities. The corporation itself has been recognized as a “person” under the US Constitution, entitled to legal rights and protections and as a holder of human rights under the European Convention on Human Rights. How does the concept of corporate personhood differ from that of the natural person in law and what are the implications of those differences for state responsiveness and regulatory policy?



WORKSHOP ORGANIZERS:

Martha L. A. Fineman, Emory University School of Law
Anna Grear, Bristol Law School, UWE
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SUBMISSIONS PROCEDURE:

Please email a paper proposal of several paragraphs length by August 15, 2010 to:

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Working paper drafts to be duplicated and distributed prior to the Workshop will be due October 11, 2010.

WORKSHOP DETAILS:

The Workshop begins on October 29, 2010 - Friday afternoon - at 4 PM with a panel discussion to be held in the Room G575 of the Law School, 1301 Clifton Road, Atlanta, GA.

There will be a reception and dinner that evening in the Atrium on the 3rd floor of the Law School.

Saturday there will be three panel presentations, convening at 10 AM in Room 575. Lunch also will be served.

Issues that might be explored include:

- The identification as corporations as rights-bearers and the implications of the disembodiment of rights protection;
- The transfer of power from the state to the corporation and implications for individuals as citizens/consumers/subjects/objects of state-like power;
- The implications of the conceptualisation of corporations as legal persons with standing;
- Regulatory responses to the vulnerabilities produced by corporations including, in particular, questions of worker welfare, protection and environmental justice;
- State, regional and international responses to perceived corporate and market vulnerability and the vulnerabilities that may emerge from such responses;
- Distinctions between human vulnerability and corporate vulnerability and implications of such distinctions for appropriate state responses;
- The potential for the Corporate Social Responsibility and Business and Human Rights movements to enhance theories of appropriate state and corporate responses to vulnerability;
- Connections and disconnections between experiences of vulnerability by and of the corporation between the Global North and the Global South.