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THE POLITICAL DIMENSION OF AN ENTERPRISE'S COLLECTIVE AGENCY

abstract

What is the political dimension of an enterprise if it is taken as a collective agent? Referring to political collective agency, we can't ignore the case of enterprises. Indeed, they have a collective agency, as we firstly point out in this article. The collective agency of the enterprise impacts the world in different ways that we secondly consider in this article. Enterprises have an impact on states, on citizens, on health, on the environment. They have an impact on employment and on the economy. As such, they contribute to the life of society. In the same way, law impacts them, but also consumers' choices and local socio-economic context. In fact, enterprises must be concerned by corporate social responsibility, they have to care about human's commons and this is a political issue without borders: it is today a prominent political question of equity for the citizen of the world.

I offer an ontological account of political collective agency applied to the enterprise. According to this account, an enterprise is a specific kind of social object, which has several intrinsic properties. Put together these properties enable the enterprise to act as a group with a definite political significance.

keywords

enterprise, ontology, responsibility, collective agency, politic

Introduction Referring to political collective agency, we cannot ignore the case of enterprises. What is the political dimension of an enterprise if it is taken as a collective agent? In this paper, we would like to show first that enterprises have a collective agency. More precisely, with List and Pettit, we defend the logical possibility of the group-agent. Then, we analyse the type of responsibility of a corporate agent. In particular, we investigate the link between a company and its stakeholders. Finally, the enterprise's political role is analysed on the basis of the question of the commons.

1. The enterprise's collective agency What is an enterprise? In my article, I propose an ontological account of this question. According to this approach, an enterprise is a social object, which has several intrinsic properties. Regarding the political aspect, the most important one is its agency.

1.1 The identity of the group-agent: a problem Does the group have a specific identity or does it have the identity of its parts? The answer to this question is very important because it helps to understand the behaviour of firms and states as "corporate agents" in the political sphere. This issue is at the heart of legal and philosophical theories, and it is central regarding economic and social problems. Depending on the answer to this initial question, the responsibility of the enterprise is not considered in the same way. Several positions exist:

1) The individual / the part takes precedence over the whole.

The primacy of the individual over the entity is named a "methodological individualism". That means it is based on a paradigm of social sciences according to which collective phenomena can (and must) be described and explained from the properties and actions of individuals and their mutual interactions (bottom-up approach). Thus Coleman, for naming the group, speaks about "multi-agents" system. This multi-agent system leads to the tenet that the decision / action of the collectivity reflects (more or less clearly) the overall decisions / actions of individuals (Coleman, 1990).

Thus considered, the group can always be reduced to its parts. Peter French explains that the intentions of the company are always reducible to human intentions (French, 1977, paragraph 4). From an ethical point of view, this position suggests that collective responsibility is reduced to individual responsibility. This position amounts to consider that there is no responsibility of the group.

2) Singular identity of the group exists.

The second position is to consider that there is a singular identity of the group. It has a distinctive reality from the individuals that make up the group. This position leads to recognize that the group-agent responsibility and individual responsibilities are distinct. The position exposed here corresponds more to this second point of view, which gives a singular and autonomous place to the existence of the group. This position allows us to deal further with the company's responsibility as a group-agent. That being said, we wish to underline the idea that the group exists independently of its parts. However it is important to consider that within this entity the identity and individual responsibility exist as well. Finally, there are articulations and mutual influences between the group and the individuals. How to argue in favor of the singular existence of the group?

A second way to defend the existence of the group is to demonstrate the logical possibility of the group's existence. For this purpose we have to start from the intrinsic properties of the agency.

List and Pettit (List & Pettit, 2011) base the demonstration on a robot for determining the basic conditions of agency. So, to be an agent with basic agentive properties you need: to have representational states of the environment, to have a motivational state that specifies the things needed by the environment, to be able to rely on these two previous states (which correspond to an "intentional" state) to intervene properly on the environment.

Agentivity is limited by the physical potentials of the robot. However, the scope of the agency can be improved, in the case of humans or animals (or possibly a complex robot) and in this case, actions become less predictable. As far as the humans being are concerned, they do have a binary answer to what they perceive from the world. As a result, his beliefs and desires are nuanced. They have degrees of belief, satisfaction, and preference. The proposals and attitudes of humans are complex and humans can consider complex scenarii, conditional, variable contingencies and projects in the future. To interpret and anticipate the reactions of an agent, we must model not one or two hypotheses, but several. The precise definition of the agent helps to limit the assumptions.

There are four conditions to speak of a group where the intention is common to all the members: a shared goal, individual contributions to achieve the goal, interdependence (each one formulates its intentions partly because they believe that others share these intentions), and a common consciousness. The common intention allows joint action. But how a multi-member group can go from a multiplicity of dispositions (or "attitudes"), to a unique goal approved by the whole group members? To answer this question, List and Pettit introduce the concept of "aggregative function" which is a vector starting from individual dispositions toward the emergence of a group aim. The joint commitments formed required for the group's emergence is simple according to Margaret Gilbert :

How are joint commitments formed? To put it very generally, in a situation where there are no special background understandings, each person must express to the others that he is in a certain broadly speaking mental state, such that common knowledge among them that all have made the appropriate expressions suffices to create a joint commitment of them all. I refer to this state as "readiness" for joint commitment. As to common knowledge, suffice it to say that the expressions in question must be "out in the open" as far as the parties-to be are concerned (Gilbert, 2013, p. 80).

The reality of the group-agent, based on intrinsic conditions of agency and on the possibility of a single group's aim is demonstrated. This demonstration allows the consideration of the interaction with the entity, like criticism, accusation etc. For example, when BP is held responsible for an oil spill in the Mexico City gulf, it is because it is considered as an agent that

1.2 The logical possibility of the group-agent in List and Pettit's works

it can be prosecuted. This position doesn't prevent recognizing of individual responsibilities. Each member of the group is individually morally responsible for the outcome of the joint action, but each is individually responsible jointly with the others (Miller & Makela, 2005, p.234). It exists a collective *and* an individual responsibility. They are linked but they are different.

2. Corporate social responsibility

Once it has been shown that the group is a full-agent in its own right, it can be held responsible for its actions.

2.1 Founding the responsibility of a group-agent such as an enterprise

How to found the responsibility of the group and consequently of the enterprise?

To answer this question, we propose a development in two stages:

- Firstly, show that the group is a responsible agent.
- Secondly, show that the group is a kind of person; a legal person (and not a natural person), but a person anyway, who can therefore assume a responsibility.

The first argument starts from the definition of the prerequisites of the responsibility in an agent to show that the group owns them as well. Thus, like List and Pettit, we propose to define what makes an agent responsible from the strictest point of view (List and Pettit 2011):

- 1) The normative capacity which means that the agent can face significant normative choices involving the possibility of doing something good or bad, correct or false.
- 2) The judgmental ability which implies that the agent has the understanding needed to make judgments about options.
- 3) The control necessary for choice between the options.

Therefore a group of agents must fulfil these three conditions. For the normative capacity (1) and judgment capacity (2), since it has been shown that a group is able to organize itself for acting according to the pursued collective desires and that it is able to choose between several proposals including the vote. There can be no doubt that the group of agents is also able to make a choice between options. The question of control (3) is more complicated for the collective agent because it implies to take into account the different levels of causality and the different levels of attribution of responsibility. In fact, the level of responsibility of a member in relation to the group is not the same depending on whether they work for the group, or they participate in the achievement of the group's objectives - and their level of participation. On this point, a distinction must be made between two levels. The first is the responsibility of the group that must control its own organization and assign to each member a task that makes sense to achieve the objectives of the organization. The second is the responsibility of each member to do what they have to do (List and Pettit 2011, p. 163). The group can therefore assume a responsibility because it is able to act in its own name. This responsibility can be named "shared responsibility" (Mellema, 1997).

The second argument is an argument of personification of the group, also pointed by List and Pettit (List and Pettit 2011). A theory exists (since 1246 with Pope Innocent IV) which states that a corporation, a group, may be considered responsible such as a person; a fictitious or artificial person, but nevertheless a person, able to assume responsibility, and who has rights. In our view, this is recognized in the legal framework by the term "legal person". They are interested by this theory because it gets along with the defence of the previous argument, namely, the group's responsibility as such a group. However, it is one thing to position the legal existence of the legal person from a performative point of view; it is another to affirm this personification as intrinsic, considering that the person must have a biological consistency. But, that being said, we have previously recognized that the agent-group may perform judgments and moral acts, it may enter into engagements with other agents, and it may be a source or target of requests. In addition, an agent-group is able to self-regulate. Now,

if a group of agents can do all that, then it has to be recognized as a person because it possesses the basic prerequisites for personality. This positioning raises the question of respect due to the person. The authors specify that the natural person has more rights and deserves a higher respect, related to the natural rights in particular, than the legal person. Thus, List and Pettit affirm that the group doesn't have the same importance, nor the same rights. In addition, the group must be controlled more than natural persons. Indeed, it has a greater power than the individual, including a power to interfere in the choices of individuals (coercion, influence, constraint).

Beyond simply recognizing the responsibility of the group, this conclusion leads to stress the importance of making it aware of its own responsibility (Lastic, 2015).

For natural person, the scope of their responsibility extends to themselves, and eventually to their children if they have any. A natural person is therefore, *a priori*, only responsible for one entity: himself. For the company, which is a legal person, the responsibility is multiple. If we talk about corporate responsibility, we talk about the responsibility of the group as a legal person. It is a collective responsibility. To better understand this responsibility and how it is distributed, we can analyze its stakeholders.

The issue of taking into account some stakeholders in governance quickly raises the question of corporate social responsibility (CSR). In fact, if external stakeholders, such as environment or the municipality in which the company operates, are associated with governance and are part of decision-making, then it seems that this company can be considered as being socially responsible because it conscientiously takes into account its social impact.

However, the problem of the respective place of firms and the state in relation to society does not have only one answer. Do companies have to be involved in the following problematics: housing, education, health, climate change, etc.? In other words, should enterprises act on the well being of individuals and society? The economist Milton Friedman (Friedman, 1970) is well known for defending the idea that the sole responsibility of the company is to maximize its profit and consequently the benefit for its shareholders. This position corresponds to a minimalist ethics or ethical egoism), which from a purely economical point of view, ensures that this maximization will lead to a general social welfare. In addition, Friedman argues that the company is not legitimate in the management of social issues because it would have a simple production function.

This position is contradicted by several parties who consider that the activities of the company generate outsourced costs on the community (pollution, accidents, unemployment...). The problem is then to determine who will assume those additive costs for the whole society. Some entities expect a social role from the company. We particularly remember Carroll's theory (Carroll, 1979, p. 500) which has the merit of clarifying the notion of responsibility by highlighting its different aspects. Carroll states that the various components of a global responsibility are distributed pyramidically inside the company. Economic responsibility forms the fundamentals of this pyramid and obliges the company to assume its objectives of producing goods and services sold with profit. Then comes the legal responsibility, which belongs to the law. Finally, the ethical responsibility expected by the community implies to respect the rights of stakeholders. This latest step covers what is generally meant by corporate social responsibility.

Thus, in the concept of CSR, responsibility is linked to the consideration of societal stakeholders. The extension of its responsibility includes without any doubt social and ecological concerns. The model of governance induced by the network of its stakeholders leaves room for a debate on the extension of its social responsibility. This debate is on the borderline between legal questioning, ethical questioning and, of course, political questioning:

2.2 Responsibility to stakeholders

Does the consideration of certain stakeholders (such as environment) come under the legal or the moral obligation? In any case, it seems to be a vision of equity.

3. Responsibility and political issue

Collective agency implies an enterprise's responsibility of the firm considering its social, environmental and economic context - as far as the company, in its economical context, has a strong effect on humans and their environment.

3.1 Responsibility and political aspects

The concept of responsibility is based on both an axiological approach (values) and a political approach especially based on the common good's issue (Argandoña, 1998, p.1093). This specific case is as much ethical as economical. It would be misleading to look at either approaches in isolation and we are experiencing that it could be one of the causes of financial and social crisis. So, while it is essential to be aware of the moral theories underlying our practices and to distinguish them, it also seems important not to be locked in an ethical or political approach. As well as the exchanges of good practices between the CSR model and the governance model is possible, why deprive us of alliances that would prove beneficial to the model involved? Governance's ethicization and CSR's normalization are already beginning to exist. They aim not to choose between economic efficiency and social efficiency, but to combine them for sustainable value creation. Thus, even if the environmental, social, societal and health topics treated by CSR seem to be historically independent of the theoretical model of organization's governance, they have nonetheless an impact on the sustainable development's strategy. Indeed, these factors are both endogenous and exogenous: endogenous because they have a direct impact on the company's activity (for example, energy consumption for an industrial company), and exogenous because they have an impact on the local environment of the business (economic, social, environmental). The CSR model impacting the governance model makes it more global.

The question of mutual impact of socially responsible or non-socially responsible governance models arises in terms of the standardization of the one and ethicization of the other. Two different types of support for globalization by organizations can be distinguished: On the one hand, the model of CSR, necessarily including an environmental stakeholder, assuming responsibility for it, and thereby demonstrating its responsibility; a rather voluntary attitude echoing values and an ethical attitude. On the other hand, the model of governance, which does not require an environmental stakeholder, of which it does not necessarily recognize responsibility. Its normative approach is to respect the mandatory standards. That is why this model implies an approach that can be described as legal, political or economic rather than ethical. The gradual expansion of the company's responsibilities questions the legal definition of its role in public life (Even-Granboulan, 2000, ch. 7). It seems, however, that the responsibility assumed by the company, as a voluntary approach taken collectively and individually, leads to an "ethicization" of the models. In the legal world, ethics thus appears as a palliative to the normative vacuum. In the economic world, more and more voices are rising to proclaim the humanity of the *homo oeconomicus* who, in addition to being a moral and emotional being is a rational being who wishes to preserve his living conditions for future generations.

Thus, the standardization of certain voluntary practices, if it does not prevent the self-support of a responsibility, may be desirable. This analysis therefore leads to an ethical and political perspective of entrepreneurship.

3.2 The question of the commons

In the research for the common good, the commons have become an absolutely central point of world politics. The future of humanity depends on how they will be preserved and how they will be equitably used. In this context, the enterprise as a collective agent has a central role.

More impacting than an individual and, most of the time, more reactive and more effective than a state institution, company must today take its place as a collective agent having a political role because, in fact, it has an impact on the world: on the natural and socio-economic environment and on the evolution of societal practices. Therefore, it must optimize its impact to make it positive, and if this is not possible and its impact proves to be negative (pollutant, harmful to health, energetically deplorable, etc.), it has the duty to reduce as much as possible and, at worst, to compensate for it. The point that crystallizes the political scale of corporate agents is that of the commons. Garrett Hardin introduces this notion in an article entitled “The tragedy of the commons”:

“Therein is the tragedy. Each man is locked into a system that compels him to increase his herd without limit -- in a world that is limited. Ruin is the destination toward which all men rush, each pursuing his own best interest in a society that believes in the freedom of the commons. Freedom in a commons brings ruin to all. (...) When we use the word responsibility in the absence of substantial sanctions are we not trying to browbeat a free man in a commons into acting against his own interest? Responsibility is a verbal counterfeit for a substantial quid pro quo. It is an attempt to get something for nothing.” (Hardin, 1968, p. 1244)

The notion of responsibility or irresponsibility in relation to the commons is introduced and Hardin requests state sanctions to deal with them. Later, in “Governing the commons: the evolution of institutions for collective action”, Elinor Ostrom deals with the governance of the commons. Governance of natural resources is crucial from a political point of view, but currently neither the state nor the market, have been able to solve the problems related to common resources. The governance of the common resources could, according to Ostrom, be assured by voluntary organizations, by collectives able to take charge of the common goods in a wanted and collaborative way:

“Success in starting small-scale initial institutions enables a group of individuals to build on the social capital thus created to solve larger problems with larger and more complex institutional arrangements. Current theories of collective action do not stress the process of accretion of institutional capital. Thus, one problem in using them as foundations for policy analysis is that they do not focus on the incremental self-transformations that frequently are involved in the process of supplying institutions. Learning is an incremental, self-transforming process.” (Ostrom, 2010, p. 190)

The defence of the commons concerns companies as a group-agent but also individuals belonging to this group themselves. In this process, learning is central. For the agent-groups that are the companies this learning goes up to a duty to know, legally called “duty of vigilance”.

After having shown that the enterprise is a group whose agency needs to be recognized, we insisted that this agency brings it into the responsibility domain. This responsibility, commonly called “Corporate Social Responsibility”, involves a relationship with internal and external enterprise’s stakeholders whose natural, social and economical environments are parts. This aspect incurs a political role for the enterprise, in the sense that, as a human community’s agent, it must also seek the common good. In concrete terms, this position is reflected in the preservation of the common goods, called the “commons”.

Conclusion

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