



Visiting
Professor

On The Endlessness of the “Endless Problem of the Corporate Personality”

Monday, May 8, 2023 17:00

The Sigmund Gutter conference room (303) Trubowicz Building
The Buchmann Faculty of Law



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The so-called “endless problem of corporate personality” (Max Radin, 1932) is a jewelry of late 19th Century and early 20th Century European legal theory. Not only high states — no less of the designing of the legal structures of corporate capitalism — but one of the most fascinating debate in modern legal literature, a miracle of technical and metaphysical sophistication. Nonetheless, somewhere between the 1920 and the 1940, powerful thinkers (namely Dewey and Hart) pronounced the end of the endless problem, and actually managed to kill the debate over the nature of the corporate personality for at almost a Century. Only very recently, the problem made a strong come back in the literature.

I will try to expose the terms of old debate, the reasons of its death, and how the “new debate” relates to the old one. This will be an opportunity to discuss the role, if any, of “legal conceptions” in the making and the evolution of the law, to reflect on repetitions and continuities in the long term of legal thinking and, more generally, on how the law is contributing to imagining the real.

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