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THE MORAL OBLIGATION OF CORPORATIONS TO PROTECT THE NATURAL ENVIRONMENT*

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The damaging effects of the activities of corporations on the natural environment have given rise to the need to evaluate corporate policies, decisions, and actions affecting the natural environment on moral grounds. There are two important questions that need to be addressed in this regard. The first is whether corporations have a moral obligation to protect the natural environment, which is over and above their economic duty to maximize profits for their stockholders and their legal duty to obey environmental laws. And the second is, given that they do have this moral obligation, what sort of environmental ethical theory (homocentrism, biocentrism, utilitarianism) ought to guide the exercise of such an obligation? This paper argues that corporations do have such moral obligations, for they are moral agents in virtue of their nonmetaphorical possession of rational capacities. This, however, implies that the corporations' exercise of this obligation can only be properly guided by a rationalist type of ethics.

INTRODUCTION

The present environmental crisis can be attributed to a variety of causes. When one talks about the institutions whose activities have a major impact on the natural environment and, hence, are major contributors to the said crisis, one, however, cannot lose sight of the big business institutions or corporations. These institutions are the ones extracting resources from nature and dumping wastes into it on a large scale, and also the ones usually responsible for environmental disasters such as oil spills and leakage of toxic substances. For these reasons, the role that corporations can play in the effort to protect the natural environment is critical and indispensable. As economic institutions and as legal persons, or as artificial persons created by law, it is, however, widely held that the role corporations can play in environmental protection is limited to, or defined by, their legal and economic responsibilities. As legal persons, corporations have the duty to obey existing environmental laws. And as economic institutions, corporations need to ensure that whatever policies or

courses of action that they may adopt involving the environment are in the best economic interests of their stockholders.

Consequently, legality and profitability are held to be sufficient to ensure that corporate activities are environment-friendly. On the one hand, it is believed to be the job of the government to make laws that will ensure that corporate activities will be environment-friendly, and that corporations already fulfill its so-called social responsibility simply by following the laws of the government. On the other hand, adopting environment-friendly policies and courses of action is believed to be profitable for corporations in the long run, and so profitability acts as an internal mechanism that forces corporations to take their role in environmental protection seriously. But legality and profitability prove to be weak guarantees. Legality can easily be circumvented and can be the work of corrupt minds; while profitability, whether short or long term, leads to environment-friendly policies and courses of action only in an accidental way, for what is often true in the real world is the reverse. These considerations have given rise to the need to evaluate corporate policies, decisions, and actions on moral grounds. There are two important questions that need to be addressed in this regard. The first is whether corporations have a moral obligation to protect the natural environment, which is over and above their duties to maximize profits for their stockholders and obey environmental laws. And the second is, given that they do have such moral obligation, what type of moral theory ought to guide the exercise of this obligation?

This paper argues that corporations do have a moral obligation in virtue of their irreducible rational capacities that grant them moral status. This, however, implies that their exercise of such an obligation can only be properly guided by a rationalist type of ethics. The paper is divided into four parts. The first examines the reasons why legality and profitability fail to justify corporate environmental responsibility. The second discusses the moral status of corporations. The third examines the relevant environmental ethical theories. And the fourth argues for a rationalist type of ethics as the proper guide for corporations in exercising their moral obligations towards the natural environment.

PROFITABILITY, LEGALITY, AND ETHICS

It is not difficult to show how the business acts of corporations can lead to environmental damages, for most corporations are involved either in extracting natural resources from the environment and thus contributing to resource depletion, or in dumping wastes into it and thus contributing to pollution. Here in the Philippines, a good case involves a mining company that used to dump its chemical wastes in a river in Marinduque (a province in the Philippines). Not only did it pollute the river, it also harmed humans who got into contact with the river—as a documentary feature once shown on Philippine television showing how Filipino children got seriously sick as a result of swimming in the contaminated river. Another is the familiar news

that many Filipinos die or lose their houses and other properties because of the big floods during the rainy season. We know that these floods are primarily caused, among others, by the irresponsible cutting of trees in our forests for business purposes often by corporations.

What enables corporations to do damages to the natural environment? What can be done to prevent them from doing so? Some see the solution in the government in coming up with stringent environmental laws, while some see it in making corporations realize that protecting the natural environment is their best interest—that it is profitable in the long run. Legality and profitability, however, prove to be weak guarantees that corporations shall be prevented from doing damages to the environment. Let us thus consider the arguments that are used to justify that economic and legal considerations are sufficient to regulate corporate activities, thereby also claiming that ethical considerations are not necessary. An argument used to justify that profitability will naturally regulate corporate activities is the argument often called the Invisible-Hand Argument, which takes off from the theory of economist Adam Smith (2005). In general, this argument claims that people pursuing their individual selfish interest in the market are somehow guided by an invisible hand to bring about the common good. That is to say, without really intending it, their actions coordinate in ways that result in what is most beneficial to everyone. For an illustration, if many businesses of the same product sell to the market, any business that sells high to obtain more profit will sell less in view of the low prices of competitors. So the law of supply and demand creates "an invisible hand" to control prices to a low level affordable by buyers while also ensuring some profits to the businesses. The "invisible hand" works for the common good of both the sellers and buyers. Consider again the case of a person who puts up a water retail and delivery service in a community where water is scarce. The person may only be after his own profit, but while doing so he is at the same time also doing service to the community. In this light, his selfish action produces a good common to himself and the residents of the community. Consequently, without considering the morality of his motives, his actions turn out to be the ones that are morally desirable.

This argument, however, can be criticized on two points. The first is that the market can be manipulated by monopolies and oligopolies or cartels. The person who sells water, as a monopoly, can increase his profit by increasing the price of the water to the discomfiture of the buyers. In this case, the seller's good is served but not necessarily the buyers good. Cartels can also behave like a monopoly in that the cartel members can decide as a body to arbitrarily increase or decrease their production in order to increase or maintain their profits, respectively. Moreover, the argument fails to consider the possibility of catering to the non-essential and destructive needs of humans in pursuit of excessive business profits. If catered to by a business establishment, such nonessential needs may translate into the practice of white slavery, the production and selling of prohibited drugs, of obscene pornographic materials, or of weapons of mass destruction, which obviously do not bring about what is good for society. And the second is that it is

simply coincidental that the pursuit of profit will lead to the social good or to morally desirable behaviors.

Take the following case. StarKist Inc., which was in the business of catching tuna and selling canned tuna (see Dobson 1999), once had a problem during the time when the fishing nets that they used to catch tuna accidentally caught dolphins as well. Most of these dolphins died in the process. As a result, the company became the target of protests from cause-oriented groups and environmentalists. The company at first simply ignored these protests for they did not really have any significant effects to its business. More importantly, changing the nets would mean additional costs for the company and there was no law prohibiting the use of the nets that it was using during the time. In short, the practice was legal and it would not be in its best economic interest to change it. However, when the protests increased, the sales of its canned tuna decreased considerably. For this reason, the company eventually decided to change its practice—to change the nets that it was using so that dolphins would also not get caught in the process of catching tuna. From a moral point of view, the decision of the management of StarKist Inc. is correct though they arrived at it not through moral considerations but through economic ones. This phenomenon, where the desire for maximum profit leads to morally desirable acts, however, is merely coincidental. Needless to say, if the protest did not have the kind of effect that it had on its sales, the company would have not changed their old practice.

Let us now examine the argument that claims legal considerations are sufficient to regulate corporate activities. As regards corporate activities involving the natural environment, environmental laws are believed to be sufficient to regulate such activities. This argument is also called the Legal or Visible-Hand Argument, for it asserts the ethical considerations are not necessary to regulate business activities for governmental laws are sufficient to do this job. As Milton Friedman (1992, 167) puts it:

> ...there is one and only one social responsibility of business—to use its resources and engage in activities designed to increase its profits so long as it stays within the rules of the game, which is to say, engages in open and free competition without deception and fraud.

Accordingly, it is not the business of corporations to make the laws that will regulate their actions but of the government; and corporations already fulfill their social responsibility simply by following the laws of the government that are directed towards the promotion of the social good. Applying this to environmental laws, Normie Bowie (quoted in Hoffman 1992, 831) writes:

> Business does not have an obligation to protect the environment over and above what is required by law; however, it does have a moral obligation to avoid intervening in the political arena to defeat or weaken environmental legislation.

This argument, however, is criticized on the ground that what is legal is not necessarily moral, for legality may be a creation of corrupt minds. Either the contents of some laws are morally objectionable, as in the case of previous laws that allowed the practice of slavery and racial discrimination, or the application of some laws is morally objectionable, as when the law favors the influential and powerful, or there is simply no law yet that prohibits a morally objectionable act.

Examine first the following case involving legality in general and morality. In the 1970s the entry of European small and cheap cars, called "subcompact cars," competed with the car sales of Ford Motor Company (see Velasquez 1988). Ford Motor's answer to this challenge was to manufacture its own version of subcompact cars, called the Pinto. To immediately cope with the competition, the Pinto was hastily designed and mass produced. And when the Pinto was subjected to crash testing, it passed the safety standards existing in U.S. laws at that time. The engineers of Ford Motor, however, found one serious problem, if another car travelling at a certain speed hits the Pinto at the rear, the gas tank of the Pinto would be punctured and would eventually explode. The management of Ford Motor narrowed down their options into two. First, they would recall all the manufactured units of the Pinto and then redesign their gas tanks. And second, they could just pay what the law would require in cases of accidents involving the Pinto, such as payments for the burial and hospitalization of the victims, insurance, and legal fees.

Both options were legal at that time, so the basis of their decision would be which option would be in their best economic interests. But when they made a study to this effect, they found out that it would be more expensive to redesign all the Pintos than to pay the compensations that would be required of the company in cases of accidents involving the Pintos. So For Motor decided not to redesign the Pintos and just pay what the law would require in cases of accidents involving Pintos. While the decision of the management of Ford Motor Company was legal at that time it was definitely unethical. Here in the Philippines we have a similar phenomenon. Some bus drivers are told to follow a principle which states that when a bus they are driving hits a person, they better make sure that the unfortunate person dies in the process. And the reason: it would be more costly for them and their bus company in terms of hospitalization if this person would be merely injured. This practice is clearly morally wrong though there may not be a law in the Philippines that clearly prohibits it.

Examine now this other case, this time involving the natural environment. There was once a company that dumped its chemical wastes to a river in New York, and the manager of this company was interviewed on the show "Sixty minutes" (see Hoffman 1992, 832). During that time there was no law yet prohibiting companies to dump their chemical wastes to that river, though there was already a pending law to this effect. In the interview, the manager said that as a responsible private citizen he supports the approval of the law; however, as the manager of the company, he supports the various efforts of his

company and likewise supports his company's dumping of its wastes in the river while the pending law is not yet approved, saying in justification that anyway that the primary purpose of business is to earn profits in the highest possible amount in ways that do not violate governmental laws. This case clearly shows the absurdity that results from making laws as the standard of the correctness of business decisions involving the natural environment.

THE MORAL AGENCY OF CORPORATIONS

To be a proper subject of the ascription of moral responsibility is to be a moral agent. Only moral agents can be properly said to be morally responsible. Individual businessmen certainly are moral agents, but it may not be clear on whether collective and artificial entities such as corporations are, considering that there is a widely held view that *only* biological persons can be moral agents. On this view, since corporations are *legal persons* in that they are artificial persons created by governmental laws, corporations cannot be moral agents. Consequently, corporations are held not the ones actually morally responsible for their acts but their individual human decision-makers. The ascription of moral responsibility to a corporation, on this view, is merely a summary reference to the moral responsibility of each of the corporation's decision makers. This view, however, can be shown to be mistaken. To begin with, moral agency is functional and, hence, is an ontologically neutral concept. That is to say, an entity that possesses the relevant functions that define moral agency is a moral agent regardless of the nature of its material constitution (or the kind of stuff it is made up of), say whether it is organic, metallic, natural, artificial, metaphysical, and what not. A good analogy would be chess pieces. What defines a chess piece as a bishop, for instance, is not that it is made up of wood, glass, or plastic, but its possession of certain set of functions that differs from the functions of the other sorts of chess pieces. Let us further elaborate on this critical point.

Peter French (1995, 10-12) argues that what basically gives moral status to an entity, or what comes to the same thing, what makes it a moral agent is its possession of certain functional capacities regardless of whether such an entity is regarded as natural or artificial. These functional capacities are as follows: the ability to act intentionally, the ability to make rational decisions and to consider rational arguments regarding the ways to realize one's interests, and the facility to make the necessary changes regarding one's behavior that are harmful to others. In this viewpoint, humans are moral agents not because of their physical features but because they possess these morally relevant functional capacities. The logical implication of this is that nonhuman entities possessing the same functional capacities are likewise moral agents or share the same moral status of humans.

This viewpoint on this nature of moral agency can be shown to be grounded in Immanuel Kant's moral theory. In his *Fundamental Principles of the Metaphysics of morals*, Kant (1952, 280) states:

> For as morality serves as a law for us only because we are rational beings, it must also hold for all rational beings; and as it must be deduced simply from the property of freedom, it must be shown that freedom also is a property of all rational beings.

In this passage, Kant takes rationality, which includes the property of freedom, as the relevant functional capacity that defines moral agency; and as such, it is by virtue of their possession of such functional capacity that humans are moral agents. Furthermore, like French, Kant likewise thinks that if there are nonhuman beings that are also rational, such beings ought to be moral beings too. But while French is thinking of corporations as examples of non-human moral agents, Kant, given his time frame and religious orientation, is thinking of abstract beings like angels.

The corporations' possession of the morally relevant functional capacities, however, is only half the story. French still needs to show that the corporations' possession of such functional capacities is literal or irreducible. For it can be argued that since a corporation is a collectivity of humans, saying that a corporation possesses such functional capacities is just a metaphorical way of saying that the humans that comprise this corporation possess such functional capacities. Another way of putting it is that the so-called reasons and intentions of a corporation are reducible to the reasons and intentions of the individual humans comprising the corporation. Consequently, if we say, for instance, that a corporation is morally responsible for its wrongdoing what we really mean to say is that the individual humans comprising the corporation, especially the decision-makers, are morally responsible for their wrongdoing. In this sense, the real subject of the moral-responsibility ascription is not the corporation, but the individual humans comprising it.

To address this issue, French (1995, 15) argues that corporate intentions are products of an internal mechanism within a corporation, which he calls the *Corporate Internal Decision* (CID) structure. This mechanism transforms the various individual reasons and intentions of the decision-makers of a corporation into corporate reasons and intentions, thereby making a corporate decision as something that is reducible to, or is not a mere summation of, certain individual human reasons and intentions of some of the members of the corporation. The personal and individual reasons and intentions undergo certain processes within the CID structure such that the resulting corporate decisions and policies acquire a distinct identity from those reasons and intentions such decisions come from. To use a parallel view from the philosophy of mind, we can say that corporate decisions and policies are emergent features of a corporation as a result of the interaction among its decision-makers within the limits of its CID structure in the same way that liquidity and transparency are emergent properties of water resulting from the interaction among the individual properties of hydrogen and oxygen. And French (1995, 20) explains that this is what differentiates corporations from mobs. Mobs do not have an internal decision structure; as such, the actions

attributed to a mob are metaphorical and reducible. That is to say, the ascription of moral responsibility to a mob can be distributed among those who comprise it, because its behavior is not a result of an internal organized process.

There is, however, one problem. Given that corporations are legitimate moral actors, the following question is in order: Does holding corporations morally responsible for their acts excuse the humans who had contributed to the formation of corporate decisions from moral responsibility? According to Christopher Meyers (1992, 252), this question gives rise to what he calls the either/or dilemma of corporate moral responsibility, which he puts as follows:

> Either we hold the company responsible for immoral behavior and exempt its members from accountability, or we condemn the individual members and conceive of the corporation as nothing more than a legal fiction.

Meyers, to begin with, agrees with French as regard the legitimacy of the moral agency of corporations; as such, corporations are morally responsible for their actions. But Meyers (1992, 257-59) argues that this does not free those humans who contributed to the formation of corporate intentions, like the directors, managers, and supervisors, from moral responsibility. Basically, their approval of such intentions as consistent with company policies, especially if this approval is a result of compromise among competing individual interests, is the basis of their individual moral responsibilities. Thus, moral responsibility concerning corporations, for Meyers, comes in two levels: on the level of the corporation and on the level of the decision-makers. And this disposes, according to Meyers, of the either/or dilemma earlier noted.

CORPORATIONS AND ENVIRONMENTAL ETHICS

To care for nature is to recognize certain responsibilities towards nature or towards nature's nonhuman members. But how is this care possible? Following Martin Heidegger's (1962, 95-102; 153-62) distinction between concern based on *equipmentality* and concern based on *empathy*, two general types of concern can be distinguished: concern based on *utility* (corresponding to equipmentality), and concern based on *affinities* in terms of traits or functional capacities (corresponding to empathy). In the first kind, something is an object of concern because it can be used to achieve some end; while in the second, something is an object of concern because it belongs to a common group. And of these two, it is the second kind that usually gives rise to responsibilities. Humans who feel certain affinities with each other often feel responsible for each other. In addition, the degree of these affinities oftentimes determines the degree of concern that they feel for each other. For example, we usually feel more responsible for our relatives, our friends, and our loved-

ones than for strangers, or for those with whom we share certain valuable experiences than for those whom we do not. Accordingly, for humans to recognize certain responsibilities towards nature they should feel certain affinities with its nonhuman members.

From a moral point of view, the critical question is thus: What are the morally relevant affinities that humans have with the nonhuman members of nature? The differences among ethical theories on nature or theories in environmental ethics can be seen as various ways of responding to this question. Accordingly, *homocentrism* believes it is the affinities humans have with each other, referring to rationality and freedom. On this view, humans are the only ones that have moral status; and hence they cannot have moral responsibilities towards nature or its nonhuman members. Their concern for nature is how they can use nature to satisfy their interests which include how they are going to relate with one another. Peter Singer's version of *utilitarianism*, on the other hand, believes that it is the shared capacity of humans and animals to experience pleasure and pain. Consequently, Singer (1992, 859-63; see also Regan 1992) claims that animals are entitled to an equal consideration of interests just like humans, and that humans have moral responsibilities towards animals as well. And *biocentrism* (Leopold 1999, 460-69) believes that it is the one shared by all members of nature, namely, the functional capacity to exist interdependently in natural ecological systems, which leads to the claim that humans have moral responsibilities towards every member of nature.

The very idea that some affinities are morally relevant has two important consequences. The first is that it gives rise to the phenomenon of *discrimination*. For example, in the homocentric perspective, preference for certain human groups on the basis of nonmorally relevant affinities, like gender and race, is considered discrimination. In the viewpoint of utilitarianism, for instance, Singer (1992, 850) calls the undue preference of humans for the members of their own species over the members of the animal species as *speciesism*, which Singer considers as a kind of discrimination. And the second is that the morally relevant affinities become the basis of defining the scope of a moral being's moral responsibilities. A moral agent can only be morally responsible for his or her fellow moral agents; as such, an entity having the morally relevant features can only have moral responsibilities towards entities having the same features.

But how can we decide on which among these ethical views on nature as the most plausible? Needless to say, this is still a matter of controversy. It can be discerned, however, that when one argues for his or her preference for a certain view, the difficulties of the other views are often invoked, say that these views fail to account for some relevant phenomena. For example, one standard criticism against homocentrism is its failure to deal with the moral status of the so-called marginalized humans, such as those that have mental disabilities (see Katz 1992, 856). Utilitarianism, on the other hand, is often criticized for failing to account for the fact that pain is also necessary for survival (see Katz 1992, 856-57); and that the determination of the relative

value of animal pain is at bottom human based—for being based on pain behaviors closely resembling those of humans (see Katz 1992, 856-57). And biocentrism is often criticized for its difficulty in dealing with the apparent absurdity of sacrificing human lives for the sake of maintaining natural ecological systems (see Callicot 1999, 486).

In dealing with this controversy, it would be helpful to be clear about the basis of one's preference for the most plausible view. Such a basis may come in two forms. The first is the comprehensiveness of the preferred view, referring to its power to consistently account for the most number of phenomena. The second is the appropriateness of the preferred view in dealing with certain specific situations to bring about some desired results. The first form, to my mind, is difficult to settle owing to the fact that no theory is immune from criticisms or that each view, as shown earlier, has its share of difficulties; and deciding on which of these criticism or difficulties are least serious is a difficult task. In contrast, the second form, I believe, is more practical and manageable. First, on this basis, one is not constrained to use different views or theories in dealing with different situations. Secondly, in claiming that a certain view is appropriate in a given situation, one is not committed to the claim that this view is also appropriate in all other situations. Or, the possible inappropriateness of a certain view in other situations does not invalidate its appropriateness in a given situation. For instance, in dealing with the case of the nonrational humans, granting that it would be appropriate to deal with them using the utilitarian perspective (because of their capacity for sentience) to grant them moral status, one is, however, not obligated to deal with rational humans in the same way. For in the case of the rational humans, it might be more appropriate to use the homocentric perspective. French (1992, 65) subscribes to the same line of reasoning when he advocates Robert Nozick's (1974) principle of "Utilitarianism for animals, Kantianism for people." The preference for Kantian ethics in dealing with the moral status of humans is here taken as something not inconsistent with the preference for utilitarianism in dealing with the moral status of animals. For the relevant issue here is appropriateness and not comprehensiveness.

Let us now inquire into what it means for corporations to care for nature. The traditional way of approaching this issue is to determine which among the ethical views on nature can provide the appropriate moral justification for obliging corporations to recognize their moral responsibilities towards nature. W. Michael Hoffman (1992) and Eric Katz (1992) both argue that it would be better to adopt the biocentric perspective. While Hoffman arrives at this conclusion after identifying the limitations of the homocentric perspective, which he thinks as the one major factor that led corporations to inflict damages to the environment; Katz, on the other hand, arrives at it after identifying the limitations of the utilitarianism perspective in defending the use of animals by businesses. In the light of what accounts for the moral status of corporations as argued by French, which defines the scope of the moral responsibilities of corporations, I think the approach of scholars like Hoffman and Katz fails.

CORPORATIONS AND NATURE: A KANTIAN APPROACH

As earlier discussed, what makes corporations moral agents is their nonmetaphorical or irreducible possession of certain functional capacities. These functional capacities, as we have seen, mainly refer to their capacity to make rational intentions or to make actions with reasons and intentions. Furthermore, we have also established that one can be morally responsible only towards one's fellow moral beings or beings with which he shares the morally relevant functional capacities. The upshot of these considerations is that corporations can only be morally responsible for the fellow corporations and humans, for it is only with them that they share the functional capacities, basically the capacity for acting with reasons and intentions, which grant them the status of being moral agents. Moreover, this means that corporations cannot have moral obligations towards the nonhuman members of nature. In short, as corporations have moral responsibilities in virtue of being rational, they can only have moral responsibilities towards their fellow rational beings—their fellow corporations and humans.

As artificial entities and as human artifacts, corporations are not natural members of ecological systems, thereby lacking the fundamental affinity with the nonhuman members of nature to make it possible for corporations to be concerned with these entities. On the other hand, corporations likewise lack the functional capacity of sentience which would enable them to be in the same moral standing as the animals so as to have moral responsibilities towards these animals. With biocentrism and utilitarianism as out of contention, does this therefore mean that homocentricm is the appropriate ethical view in this regard? The answer is in the negative, for homocentrism gives utmost preference to human interests, which ought not to be the case if corporations and humans, being both rational beings, are governed by the same moral principles. From the viewpoint of rationality, there may be cases wherein these moral principles would require that corporate interests override human interests. In the case of Kant's moral theory, the fact that he entertains that there may be other rational beings, aside from humans, means that this moral theory is not exclusive to humans alone. For granting that those other rational beings actually exist, then the actions of humans towards them, these other rational beings' actions towards humans, and the actions of humans and these other rational beings towards one another should be governed by the same moral principles. For this reason, Kantian ethics does not qualify as a homocentric moral theory, but as something that we will call a *rationalist ethical theory*, following its claim that rationality is what grants moral status to an entity. And applying Kantian rationalist ethics to the issue of the moral status of corporations would mean that (a) the actions of humans towards corporations, (b) the actions of corporations towards humans, and (c) the actions of corporations towards each other, ought to be governed by the same Kantian moral principles that govern the actions of humans towards each other.

Kantian ethics, being a deontological ethical theory, regards the rules followed or violated by actions as the relevant consideration in judging the morality of these actions. Deontological ethical theories contrast with consequentialist ethical theories (whose most dominant version is utilitarianism) which regard the consequences of actions as the morally relevant consideration in judging the morality of actions. Deontological ethical theories are also sometimes called "duty-based ethical theories" or "right-based ethical theories," owing to the tight relationship among law, duty, and right. Accordingly, laws create duties and rights; duties are actions required by laws; and rights are entitlements provided by laws. Furthermore, one's right imposes certain duties on other people, and one performs a duty to respect another person's right. In this light, deontological ethical theories are also described as ethical theories which judge the morality of actions on the basis of whether such actions perform moral duties or respect moral rights. Deontological ethical theories can have different versions depending on what is regarded as the ultimate basis of moral laws or principles. One version may be called *religious deontology* for maintaining that what is morally right or wrong depends on whether it follows or violates God's laws or commandments. Kant's version falls under what may be called *rational deontology* for claiming that moral laws or principles are based on human reason alone. Kantian ethics, in this sense, is generally a form of *rationalist ethical theory*.

Kant regards moral commands as categorical imperatives, which he contrasts with hypothetical imperatives. Hypothetical imperatives are the kind of commands in which the sense of obligation to perform an action results from a desire for the consequences of the said action. Categorical imperatives, in contrast, are the kind of commands in which the sense of obligation to perform an action results from respect for a law. But if moral imperatives are categorical in which moral duties arise from respect for laws, what then are these kinds of laws? Kant provides several formulas for determining these kinds of laws; but the following two are the most fundamental: the *principle of universalizability* and the *principle of respect for persons*.

The principle of universalizability states that an action is morally good if its maxim can be made universal, or as a law for everyone, without contradiction. A *maxim* is a law that we make for ourselves when we decide on what course of action to take. A maxim, in this regard, is a subjective or personal law. For instance, when we decide to keep our promise to someone we create a law for ourselves stating "we ought to keep this promise." This maxim is what makes the act of keeping the promise a duty for us. Universalizing our maxim would mean making it a law for everyone who is under the same circumstances as we are. So if our maxim states "we ought to break our promise," universalizing it would result in the law "everyone ought to break his or her promise." Now whether this resulting universal law runs into a contradiction is a question of whether it can be held consistently, or, more specifically, whether the act that the law is supposed to regulate is rendered

pointless by the law itself. In this regard, it appears that universalizing our maxim of breaking a promise would create a contradiction. The reason is that the resulting universal law would render the act of making promises a meaningless act—for why would one make a promise when everyone is obligated to break his or her promise? If the act of making promises is a meaningless act, then the law itself, that "everybody ought to break his or her promise," is a meaningless law. And this makes the act of breaking a promise morally wrong.

The principle of respect for persons, on the other hand, states that one's act is morally good if it does not merely use persons as means but also treats them as ends at the same time. Here, treating persons as ends is tantamount to respecting their interests (choices and preferences); while treating them as means is tantamount to disrespecting their interests. One concrete way to find out whether or not person A respects person B in his act towards person B is if person B *voluntarily* and *knowingly* gives his/her *consent* to person A to perform such an act towards him/her. Thus, one's stealing of the other person's property is morally wrong because it is done without the other person's voluntary and informed consent. Without such a consent, the other person is treated merely as a means. It should be noted that these two formulas or principles are two different ways of arriving at the same morally correct course of action. An action whose maxim is universalizable necessarily respects persons; and an action that respects persons necessarily follows a maxim that is universalizable.

Consistent with the Kantian perspective, French explains that among the moral principles that can govern the behavior of rational beings among themselves, the Kantian *principle of respect for persons* is the most fundamental (see Taylor 1999). Accordingly, rational beings ought not to use other rational beings merely as means to an end but only as ends in themselves. If it is morally wrong for humans to use other humans merely as means to an end, it would also be wrong for humans to use corporations, for corporations to use humans, and for corporations to use other corporations merely as means to an end. One concrete manifestation of using rational beings merely as means to an end is when their moral rights are violated or disregarded. And among humans, one of these rights refers to the right to a livable natural environment. In this regard, the protection of the natural environment by both humans and corporations is a necessary means to respect the right of humans to a livable natural environment.

Furthermore, French also considers the cause of environmental protection as a species of care about future human generations. This is a logical entailment of the fact that the Kantian principle of respect for persons applies to all rational beings, which therefore must include not only rational beings of the present generation but those of future generations as well. But French clarifies that it is only meaningful to speak of the moral obligations of humans of the present generation towards those of future generations if actual relationships can be established between them. This is where

corporations play a major role. French (1995, 226) explains that, unlike humans, corporations "can survive well into the future and as they stand in relationships with us now, they will stand in relationships with our future generations." What French is saying is that corporations, because of their long-term plans and enduring existence, can act as a bridge between humans of the present generation and those of future generations. This bridge is what makes it possible for humans of the present generation to have actual relationships to humans of future generations, thereby making it meaningful to speak of the moral responsibilities of humans of the present generations towards those of future generations.

CONCLUSION

In view of the serious damages that corporations inflict on the natural environment, no serious talk about resolving the present environmental crisis can take place without considering the role of corporations. Since this infliction has transpired despite the existence of relevant legal laws and economic principles, a perspective higher than legal and economic ones is, therefore, required in determining the role of corporations in the cause of environmental protection. This higher perspective is the moral perspective where corporations are seen as moral agents or as entities having moral responsibilities and whose decisions and actions are guided by moral principles. But since the moral agency of corporations is based on their rationality, a rationalist type of ethics, as exemplified by the Kantian principle of respect for person, ought to guide the exercise of their moral responsibilities, including those towards the natural environment.

NOTES

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