CALL FOR PAPERS

Corporate Rights versus Children’s Interests

October 19-20, 2012

The University of British Columbia, 6201 Cecil Green Park Road,
Vancouver, BC V6T 1Z1

“There can be no keener revelation of a society’s soul than the way in which it treats its children.” Nelson Mandela

This workshop considers the growing trend in some countries to subordinate and often sacrifice children’s interests (indeed all of our interests) to corporate interests claimed in the name of efficiency. This trend is represented by the proliferation of for-profit schools, hospitals, and prisons, and in corporate rights exemplified by the reach of commercial advertising into public schools -- from buses to corridors to cafeterias. Particularly in the U.S., the corporation reigns supreme. Politicians and policy makers increasingly accept markets as adequate mechanisms to allocate health, education, public safety, criminal justice, environmental protection, recreation, procreation, and other social goods, and they tend to consider “business” models as the superior means to do so. Corporate legal personhood protects as “speech” the allocation of corporate wealth to political and social causes that aggressively work against protective regulations of corporate activities. Advertising and social media driven by corporate interests create consumer demand for unhealthy and unnecessary products and use the mantra of parental “choice” as a subterfuge for gross profit-seeking. Corporate practices and “values” are adopted as relevant and beneficial to assessing the worth and success of public services, such as education and health care. What is the balance struck in other countries? Is it possible within a liberal legal order to challenge the assumptions that underlie privatization and the “corporatization” of society? Is it impossible to reorient and “humanize” the corporation by holding it legally responsible beyond shareholders and the market, using law to encourage responsiveness to the interests of children and other human beings? We are particularly interested in comparative approaches and in considering the possible influence of the UNCRC.

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Submissions Procedure:
Email a proposal as a Word or PDF document by 8/10/2012 to Emily Hlavaty at:
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**Information and resources can be found on the VHC website at:
http://web.gs.emory.edu/vulnerability/resources/index.html

**Working paper drafts will be due 10/1/2012 and distributed prior to the Workshop.

Topics May Include:
• What does a specific society’s treatment of children reveal about its “soul” and how is that reflection different from the values shown through the policies of other societies?
• How are children and corporations understood as legal subjects and how is that different from and potentially in conflict with the traditional idea of legal personhood?
• Neither the corporation nor the child has a right to vote but corporate money has the power to overwhelm children's voices in influencing policy outcomes. How can a healthy balance of political power be achieved between corporate interests and children's interests?
• Does the state have a unique relationship of responsibility toward children and, if so, how should it be articulated and ultimately manifested in law?
• Does the state have a unique relationship of responsibility toward corporations or markets and, if so, how should it be articulated and manifested in law?
• Should children be perceived as “unique” consumers of both corporate products and advertising? If so, who (parents and/or state) should assume a protective role in regard to their unique interests and how should that role be shaped?
• In what ways should the state's protective role differ in different contexts: re: regulating the advertising of junk food or pharmaceuticals versus running a privatized school or correctional facility?
• What role should science play in arbitrating conflicts between corporate interests and children's interests? Does environmental law offer a template for tempering the power of corporations to alter human environments?
• What has privatization done to public goods such as education, criminal (juvenile) justice, and healthcare, and how has privatization in these areas affected children’s interests?
• Can the idea of children’s interests be used to fashion a doctrine of corporate responsibility and shape the basis for a legally mandated more responsive corporation?
• Can community values like equality of opportunity and family economic stability be made as central to corporate activities as shareholder interest in short-term profit maximization?
• How can community and political action affect corporate behavior and policies and how can this be facilitated by the law?
• The concept of parental rights is understood differently in the U.S. than in other countries – comparatively, how do parental rights protections affect children’s interests?