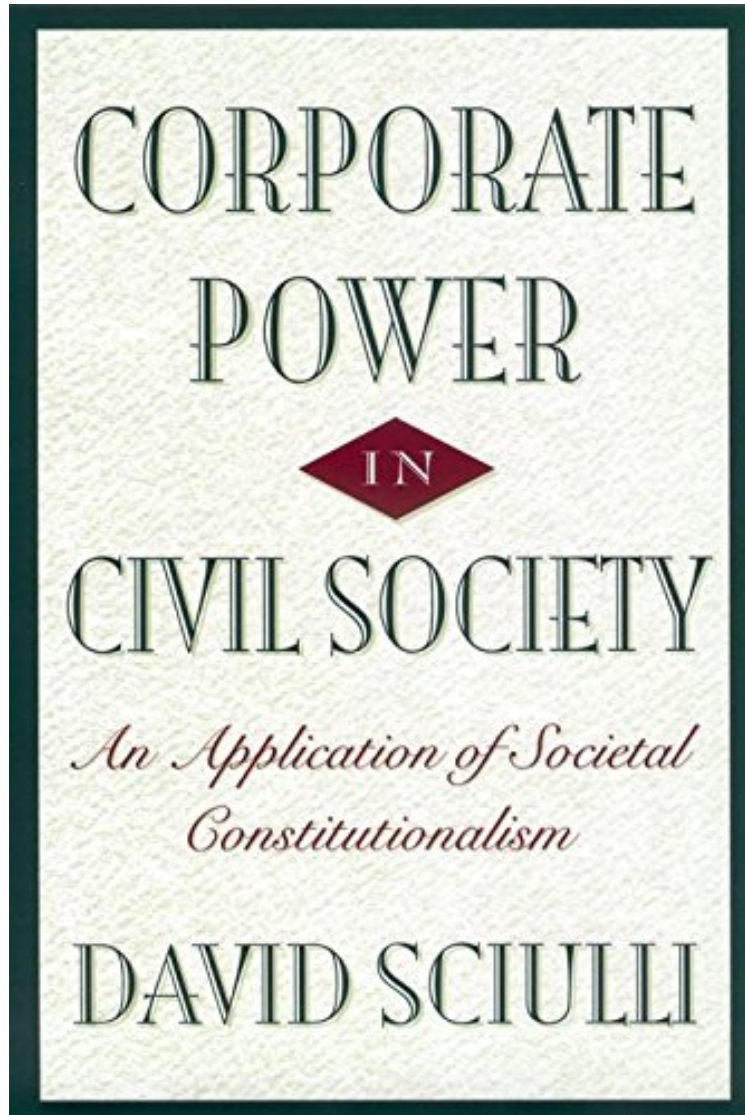


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Corporate Power in Civil Society

David Sciulli

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David Sciulli : Corporate Power in Civil Society before purchasing it in order to gauge whether or not it would be worth my time, and all praised Corporate Power in Civil Society:

5 of 5 people found the following review helpful. In the Face of Law and Economics By A Customer Finally, a positive accounting of corporate law "tradition" as aggressive as the criticisms by Easterbrook and Fischel, Romano and Roe. This is probably the best book on corporate law for interested outsiders, and it certainly puts corporate law in broader social context than "progressive" or stakeholder-centered approaches. By showing specifically when, where and how corporate law bears on society, the author pinpoints why law and economics is partial at best. More than even Eisenberg or Brudney, he demonstrates in clear, positive terms why certain court-enforced fiduciary duties remain

important whereas others can safely be replaced with contracts or laissez-faire. And the book proceeds sans legalese. One heads up, however: though ideal for non-lawyers (and essential for academics), this book is hardly a casual, shore-side read. (The same goes for the author's earlier book on corporations. His chapter there on equity law is one of the best brief discussions I have seen of this important legal tradition).³ of 3 people found the following review helpful. An Accessible Approach By A Customer Sciulli uncovers basic legal principles in the ongoing effort to monitor corporate governance. In its sophistication, this book reminded me of Habermas' *Between Fact and Norms* and Bourdieu's *Pascallian Meditations*, but Sciulli's book is more accessible. It revolves around concrete cases that nonspecialists can follow. In fact, I wonder whether his approach to law and corporations begins to establish his social theory as a rival to Habermas and Bourdieu more generally. Plus, it's about time some social theorist engaged the law and economics crowd on their own turf.

The corporate mega-mergers of the 1980s and 1990s raise many troubling questions for social scientists and legal scholars. Do corporate globalism and the new, streamlined corporation help or hinder the development of civil society? Does the new power that increasingly deregulated businesses wield undermine the rights of citizens, or is this threat being exaggerated? Who has the authority to get things done in a corporation's name and who can be held legally responsible for a corporation's misbehavior? What role, if any, should the courts play in strengthening the rights of individuals who challenge the actions of big business? David Sciulli maps the legal limits of corporate power in our democratic society, and explores the role of the corporate judiciary in creating public policy. He argues that the judiciary must be more vigilant and act to curb corporate abuses. He demonstrates that when corporations exercise their private power in civil society, they are just as capable as the state of exercising it in ways that are dangerous, arbitrary, and challenge the basic institutional arrangements of society. Finally, Sciulli calls for sociologists to involve themselves more deeply in issues of corporate governance and commit their discipline to influencing the decisions of the courts.

"Corporate Power in Civil Society is well-written, and it brims with interesting insights. Sciulli's careful attention to the broader civil context of corporations and his close attention to the cases he examines make him an excellent sleuth for uncovering the reasons for and the implications of judicial behavior. In drawing on sociological theories to inform corporate law, the book makes a refreshing and timely contribution." -Contemporary Sociology "His most innovative contribution is to fuse sociological theories of civil society with corporate law." -Social Control and Law "This book is a significant contribution to . . . broad political thought, one that should stimulate a great deal more." -New Political Science About the Author David Sciulli is Professor of Sociology at Texas AM University. He is the author of *Societal Constitutionalism*.