CONTENTS

List of Figures ix
List of Tables xi
Notes on Contributors xiii
Preface xix
Acknowledgments xxi

Introduction 1
BARNALI CHOUdhury AND MARTIN PETRIN

PART I  Comparative and Historical Perspectives 15
1 The Four Transformations of the Corporate Form 17
REUVEN S. AVI-YONAH
2 Comparative Corporate Governance: Old and New 37
MARTIN GELTER
3 The Corporation’s Intrinsic Attributes 60
CHRISTOPHER M. BRUNER

PART II  The Company: Public or Private? 89
4 Understanding the Modern Company through the Lens of Quasi-Public Power 91
MARC T. MOORE
5 Reflections on the Nature of the Public Corporation in an Era of Shareholder Activism and Stewardship 117
DIONYSIA KATelouZOU
6 Regulating for Corporate Sustainability: Why the Public–Private Divide Misses the Point 145
BEATE SJÅFJELL

vii
## PART III  Rights or Duty Bearer?  165

7  The Constitutional Rights of Corporations in the United States  167
   Brandon L. Garrett

8  Understanding Corporate Criminal Liability  185
   Ian B. Lee

9  Human Rights and Business: Expectations, Requirements, and Procedures for the Responsible Modern Company  213
   Karin Buhmann

10  A Balancing Approach to Corporate Rights and Duties  232
    Martin Petrin

## PART IV  Governing the Modern Company  251

11  Corporate Law Reform in the Era of Shareholder Empowerment  253
    William W. Bratton

12  Board Accountability and the Entity Maximization and Sustainability Approach  271
    Andrew Keay

13  The Corporation and the Question of Time  293
    Lynn Stout

    Epilogue – A Look to the Future  313
    Barnali Choudhury and Martin Petrin

Index  317