

Corporate Personality

- **Creature** theory
- Group theory
- **Person** theory

Creature Theory

- The corporation is a creature of the state for it exists thanks to the act of incorporation.
- Unlike a natural person, a corporation has no pre-existing rights.
- The only rights are those spelled out in its charter.
- As a legal entity it is a *persona ficta*, an artificial or juristic person.

Group Theory

- Man, as an independent and free being, has the right to join freely with other persons and to form associations.
- Those associations can take on an existence of their own.
- However, corporate rights in reality are the rights of the component members.
- A corporate name is nothing other than a way of recognizing the members of the group.

Person Theory

- Groups are natural entities with human societies.
- A group is as real as the persons who form it.
- A group is more than just a collection of persons with a common interest, for it takes on an existence of its own.
- The corporation is a legal person naturally, as much as any human being.

Relation between society and corporations

- The **creature theory** emphasizes the power of the sovereign or the state.
- The **group theory** recognizes the contractual rights of individuals to join together.
- The **person theory** elevates the corporation as a “bearer of rights and duties” (as much as any live person).
