

The Psychology of Corporate Rights: Perception of Corporate Versus Individual Rights to Religious Liberty, Privacy, and Free Speech

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The U.S. Supreme Court has increasingly expanded the scope of constitutional rights granted to corporations and other collective entities. Although this tendency receives widespread public and media attention, little empirical research examines how people ascribe rights, commonly thought to belong to natural persons, to corporations. This article explores this issue in 3 studies focusing on different rights (religious liberty, privacy, and free speech). We examined participants' willingness to grant a given right while manipulating the type of entity at stake (from small businesses, to larger corporations, to for-profit and nonprofit companies), and the identity of the right holder (from employees, to owners, to the company itself as a separate entity). We further examined the role of political ideology in perceptions of rights. Results indicated a significant decline in the degree of recognition of entities' rights (the company itself) in comparison to natural persons' rights (owners and employees). Results also demonstrated an effect of the type of entity at stake: Larger, for-profit businesses were less likely to be viewed as rights holders compared with nonprofit entities. Although both tendencies persisted across the ideological spectrum, ideological differences emerged in the relations between corporate and individual rights: these were positively related among conservatives but negatively related among liberals. Finally, we found that the desire to protect citizens (compared with businesses) underlies individuals' willingness to grant rights to companies. These findings show that people (rather than corporations) are more appropriate recipients of rights, and can explain public backlash to judicial expansions of corporate rights.

Keywords: corporations, political ideology, rights

Corporations have enjoyed constitutional rights since the U.S. Supreme Court's decision in *Santa Clara County v. Southern Pacific Railroad Company* (1886), when the Court in a "casual" aside extended equality protections to a for-profit railroad company (Horwitz, 1985). Recent judicial decisions recognizing both constitutional and statutory rights in corporate entities, however, have stimulated controversy. The Supreme Court's decision in *Citizens United v. FEC* (2010), which freed corporations' use of general treasury funds for political advertising on the basis of the First Amendment, generated a "furor" at the prospect of increasing corporate influence on political life (Levitt, 2010). President

Obama called *Citizens United* a "major victory for big oil, Wall Street banks, health insurance companies, and other powerful interests" (Kang, 2012, p. 3). That decision also generated appeals for a constitutional amendment (Blackstone, 2013). More recently, in *Burwell v. Hobby Lobby* (2013), the Supreme Court recognized a statutory right to religious liberty in closely held, for-profit corporations. *Hobby Lobby* is also proving divisive as further religious liberty challenges are continued to be brought by for-profit corporations (Davidson et al., 2010).

The difference between courts' recognition of entities' rights to speech, religious liberty, and other basic rights on the one hand, and the critical public commentary after *Citizens United* and *Hobby Lobby* on the other, raises a question about the relation between entity rights and public beliefs about such rights. It is not clear whether the Court's recent judgments on corporate rights diverge from public beliefs and expectations, or instead, whether a vocal minority opposes the recognition of corporate rights. It is also possible that partisan identification motivates such recognition, making public reaction to *Citizens United* and *Hobby Lobby* a reflection of underlying political polarization.

The present study examines laypeople's perceptions of entities' entitlement to basic rights commonly associated with natural persons. Our central aim was to identify predicate grounds on which individuals treat corporations like or unlike natural persons for the purpose of attributing to them those basic rights. We focused on

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three rights—religious liberty, privacy, and free speech—that have been the recent focus of public attention.

A better understanding of the psychological grounds for the recognition of corporate entities' rights is salient to an understanding of public reactions to judicial opinions expanding positive statutory and constitutional entitlements of such entities. The relationship between the psychology of corporate rights and the law, by contrast, is more complex. Legal rights are based on judges' interpretation of statutory or constitutional texts, not estimates of popular beliefs. Nevertheless, the Supreme Court is responsive at the margin to shifting public sentiment (Caldeira & Gibson, 1992; Mishler & Sheehan, 1993). And the psychology of corporate rights is arguably relevant to judges' inquiry into the plain meaning of statutory texts (such as the word "person" in the Religious Freedom Restoration Act ("RFRA") of 1993 that stood at the center of the Hobby Lobby decision). In this study, we do not aim to resolve the issue of the appropriate interpretation of statutory text but to cast light upon the narrower question of which interpretation more accurately captures public understandings of the statutory term.

We seek to extend two relevant bodies of research. First, a handful of recent psychological works offer contributions regarding how individuals attribute mind to groups (as opposed to their individual members), as well as how such attributions impact inferred intentionality and moral responsibility of collective entities in comparison to the persons who constitute them (Tyler & Mentovich, 2010; Waytz & Young, 2011). Second, another body of literature examines differences in the ways individuals process information about individuals and groups (Hamilton & Sherman, 1996; Hamilton, Sherman, Way, & Percy, 2015), as well as the implications of such differences to corporate criminal responsibility (Sherman & Percy, 2010). We caution that although they may be related, judgments about positive entitlements need not track judgments about liability for punishment. Accordingly, this study complements, but is distinct from, studies of corporate criminal responsibility.

In the current study, we explored several questions regarding how people perceive entities' rights: First, we examined whether people display consistent differences in their judgments of entities' rights in comparison to individuals' rights. Second, we considered whether judgments of entities' rights were influenced by the specific type of entity at stake (e.g., whether it is a small or large company, for-profit or nonprofit business). Third, we looked at whether (and how) political partisanship interacted with tendencies to grant rights to individuals and entities (particularly corporations). Finally, we examined two potential reasons underlying people's willingness to grant rights to entities: the desire to protect American citizens and the desire to protect American businesses.

The Legal Rights of Corporations

The legal consequences of corporate personhood are heterogeneous. Not all are disputed, and not all are sought after. Few would argue that corporations should not have personhood for the purposes of entering and enforcing contracts. Similarly, there is broad consensus supporting corporate criminal responsibilities in theory (Green, 1991; Henning, 1995). Corporations have been considered persons for the purposes of criminal prosecution since the Middle Ages (Dubber, 2013), although recent studies suggest that prosecutions are rarely successful (Garrett, 2007; Laufer, 2006). Crim-

inal liability is, however, an aspect of legal personhood that is analytically distinct from the recognition of positive entitlements to speech, privacy, or religious exercise (Isaacs, 2013). It is perfectly possible to treat corporate entities as criminally responsible, but not entitled to the same suite of affirmative rights that natural persons enjoy.

This study concerns corporate entities' affirmative rights, which under American law are also heterogeneous. We focused on two features that might influence people's willingness to grant rights to corporations or other forms of collective entities. First, corporations may have some rights but not others. For example, corporate claims to equal protection under the law, free speech, privacy, and—most recently—religious liberty have all been recognized in court. In contrast, corporate claims to rights against self-incrimination, the privileges and immunities of state citizenship and to individual liberty have not been recognized (Garrett, 2014). Second, the purposes and aims of a corporate entity may also impact ascription of rights. The courts, for example, frequently calibrate legal protections differently based on the goal and structure of an organization (Bhagwat, 2010). In *Hobby Lobby*, for example, the Court was divided over whether for-profit corporations could bring religious liberty claims in court but unanimously acknowledged religious liberty rights in some not-for-profit organizations.

In addition to differences in rights and in the aims of entities, it might also be argued that the statutory or constitutional nature of a right is a variable of interest. We do not, however, explore the difference in public perceptions of statutory and constitutional rights. This distinction—even assuming it is precisely perceived and understood by nonlawyers in practice—implicates complex judgments about the relative roles of courts and legislatures in recognizing rights. Including such judgments into the study design would divert attention from our central questions of interest. Our analytic framework therefore employs the more abstract terminology of rights without distinctions based on legal origin.

Inquiry into the salience of different rights and different types of entities is warranted because judicial recognition of affirmative corporate rights in American law rests on contested theoretical foundations (Garrett, 2014). There is no generally agreed-upon basis for picking out some rights, or some entities, as warranting protection by law, but not others. As early as 1926, John Dewey observed that courts tend to recognize corporate personhood for some purposes, but not others, based on "extraneous dogmas and ideas drawn "from psychology or philosophy or what not" (Dewey, 1926, p. 657). Dewey concluded that the judicial recognition of corporate personhood could not be understood without examining the way in which widely held assumptions influenced the law. Dewey's methodological concern has been echoed by subsequent generations of legal scholars and social scientists who have called for behavioral realism in legal theory through rigorous attention to how such theory corresponds with scientific knowledge about the human mind and behavior (Krieger & Fiske, 2006; Kang & Banaji, 2006; Mentovich & Jost, 2008).

Consistent with Dewey's analysis, recent judicial changes to the scope of corporate rights are poorly explained by any single theoretical framework. These changes have been most pronounced in respect to speech, religious freedom, and privacy rights. First, with respect to free speech rights, beginning in 2007, the Supreme Court issued a series of holdings that granted corporations First

Amendment rights (see *FEC v. Wisconsin Right to Life*, 2007; *Citizens United v. FEC*, 2010; *McCutcheon v. Federal Election Commission*, 2014). The practical effect of these decisions is to endow corporations with First Amendment rights to unlimited campaign expenditures while permitting only weak legal limitations on candidate contributions.

Second, in 2014, the Court recognized a statutory corporate right to religious freedom in *Burwell v. Hobby Lobby*. The Court held that under RFRA *closely held* corporations could resist compliance with mandated federal health care coverage of certain contraceptives on the basis of sincerely held religious beliefs. *Hobby Lobby* concerned the question of whether for-profit corporations could avoid pay for certain forms of contraceptive coverage, and extended RFRA protection to closely held, for-profit corporation. However, the range of entities now possessing religious liberty rights under RFRA is unclear. The logic in the *Hobby Lobby* majority opinion seems to extend these rights to larger, publicly traded corporations, but the Court expressly refrained from holding that such entities had religious liberty rights. By contrast, the dissent in this case would have limited such rights to nonprofit entities only.

We note that *Hobby Lobby* illustrates the risks of assuming a clear distinction between a statutory and a constitutional right. Although based on an interpretation of a federal statute, RFRA, the *Hobby Lobby* majority extensively cited cases interpreting the Constitution to support its holding. Even in the Court's thinking, therefore, statutory and constitutional entitlements are not sharply distinguished. It is thus unclear whether asking laypeople to make that distinction is profitable.

A third domain in which corporations have increasingly claimed rights concerns privacy from electronic surveillance by the government. The state can rely on telecommunication firms' aggregations of electronic communications and metadata generated by communication and Internet use to intrude on its citizens and foreign individuals (Solove, 2002). Individual privacy, therefore, is determined by corporate policy with regard to government requests for data, and corporations sometimes act to protect individual privacy. In June 2013, for example, both Microsoft and Google filed lawsuits challenging aspects of the U.S. government's requests for communications metadata (Carroll, 2013). The secure e-mail service Lavabit did not assert a privacy-derived right against government requests for data. But it closed rather than comply with those requests (Perlroth & Shane, 2013).

Unlike religious or speech rights, the majority of privacy claims by corporations have been raised to defend the rights of third-party consumers. Hence, privacy may have a slightly different ideological valence to speech and religious freedom. Whereas corporate speech and corporate religious freedom may have a conservative cast as policy goals, privacy interests have either a liberal or a libertarian cast.

Empirical Research on the Social Psychology of Corporate Rights

There has been little investigation of the conditions under which individuals tend to recognize entities' affirmative entitlements (as distinct from responsibilities for wrongs). We identify four lines of relevant research. First, and most generally, prior work on procedural justice suggests that perceptions of whether corporate entities

implement norms of procedural justice influence employee compliance with internal rules (Tyler & Blader, 2005). The procedural justice literature does not speak to the attribution of affirmative rights, and does not distinguish between different entities' aims and purposes.

Second, an important body of work initiated by Hamilton and Sherman (1996) concerns the mechanisms underlying perceptions of individuals versus groups. Central to their analytic framework is the concept of "entitativity" as a measure of the degree to which perceivers expect coherence and unity between individual elements of a collective (Hamilton, 2007; Hamilton et al., 2015). In their account, the more 'entitative' groups are, the easier it is to perceive them more similarly to individual targets. Relevant here, extensions of this model identify differences in the attribution of entitativity to diverse kinds of groups based on their aims and purpose (Lickel et al., 2000). Differences in the perceived entitativity and coherence of collective entities have been isolated as predictive of differences in attributions of criminal liability (Sherman & Percy, 2010). Although this model has not been extended to affirmative rights to free speech, religious liberty, and privacy, it provides ground to predict that features pertaining to entitativity (such as the company's size, management structure, and goals) will influence the degree to which they will be seen as worthy of rights.

Third, recent work on the attribution of mind to collective entities may also have implications to the issue of corporate rights. Waytz and Young (2011) explored the relations between attributions of mind to groups and to their individual members, as well as the implications of these relations to perceptions of moral responsibility. In one of their studies, participants were presented with several groups ranging from car owners, to the U.S. Congress, to McDonald's Corp. Participants were asked how much mind they attributed to these groups as well as to their individual members. This research identifies a negative correlation between attributions of group mind and attributions of individual mind, and further shows that greater attributions of mind lead to greater attributions of responsibility because "perceivers are capable of attributing only a finite amount of mind" (p. 83). Similarly, Morewedge et al. (2013) find that attribution of mind to individual members of a group is inversely related to the size of the group to which an individual belonged. Menon, Morris, Chiu, and Hong (1999), however, find cultural differences in the strength of group agency attributions, with East Asian respondents being more willing than North American respondents to discern group agency. Like the research initiated by Hamilton and Sherman (1996), this work suggests that individuals find it more difficult to attribute personhood to groups (particularly those that are larger in size and that lack cohesion), or to hold groups as morally responsible for misconducts (see also Mentovich & Cerf, 2014; Tyler & Mentovich, 2010).

Finally, there is a body of work on the concept of "moral patiency," defined as the perceived capacity to be the subject of rights or wrongs (Gray & Wenger, 2009). This work suggests that although moral agency and moral patiency may be negatively related, both are anchored in the perception of an entity's mental life (Gray, Young, & Waytz, 2012). It suggests that for the same reasons it is difficult for people to attribute mental life to entities, entities may not be perceived as suffering harm, requiring protec-

tion, and possessing affirmative rights to the same extent that natural people enjoy.

These lines of research are suggestive, but not dispositive of the questions about affirmative entitlements that we investigate here. With the exception of public opinion surveys, we have been unable to identify prior empirical work that analyzes the bases for public recognition of corporate entities' rights to privacy, speech, and religious liberty. The current research seeks to provide the first step in the exploration of this issue.

General Method

In a series of three studies, we looked at whether, and to what extent, people deemed a range of both individuals and collective entities to have a right to religious liberty (study one), privacy (study two), and freedom of speech (study three). Participants in each study were asked to evaluate the extent to which a hypothetical person or entity *had* a given right (to religious liberty, privacy, or free speech), all defined at a high level of generality. We did not seek to distinguish between individuals' judgments about what rights corporations *have* under current law, and what rights they *should have*. Inclusion of that distinction in the study would require the assumption that people already have clear and distinct ideas of what is and what ought to be the case in relation to corporate entities' affirmative entitlements. We did not make that assumption. It is accordingly appropriate to interpret respondents' answers as reflecting both positive and normative concerns.

The current research focused on two main aspects of rights: the organizational context in which a given right applies, and the identity of the right recipient. First, in each study the organizational context was manipulated such that participants were presented with five different business settings. These included three traditional for-profit businesses (a family owned small company, a local publicly traded chain, and a national mega corporation) as well as two other organizations that were matched to the context of the specific right at stake (e.g., a church in the religious freedom context; a newspaper in the context of freedom of speech). Second, in each study respondents were asked whether they believed three targets within each of the different organizations presented to them had the given right. The three targets were the company's owners (or a close analog when ownership did not exist), the company's employees, and the company itself as a separate entity.

The present study employed a within-subject design in which each participant was asked to provide their responses across all organizational contexts, and with regard to all targets. This design has both strengths and weaknesses (Curran & Bauer, 2011). On the one hand a within-subject design maximizes statistical power and allows a better detection of true effects. Moreover, recent work by Waytz and Young (2011) utilizes a similar within-subject approach to tap into the relations between attributions of individual versus collective minds (an examination that is suitable to a within subject context). On the other hand, this design may implicitly enable participants to render comparative rather than absolute judgments about corporate and individual rights. To address the later limitation we chose not to present tradeoffs between individual and entity rights in the research design. Instead, participants could grant as much of a given right to any target as they saw fit.

Study 1

Participants

One hundred eleven participants were recruited online using Amazon's Mechanical Turk ('MTurk') platform (Seattle, WA). To be eligible to participate in the study, an Mturk participant had to have conducted at least 50 studies before this one; have an approval rate equal or higher than 95%; and to have a U.S. Internet protocol (IP) address. Fifteen participants failed the attention check questions (described below) and were excluded from further analyses. Our final sample, comprising 96 individuals, was demographically diverse: 50% were female; 84% were white; mean age of 36.99 ($SD = 13.3$); 28.1% defined themselves as somewhat religious, and 25.3% describe themselves as extremely religious; 12.5% participants had high school education, 39.6% post high school (but no college) degree, and 41.5% a college degree.

Procedure and Materials

Participants were recruited into a study entitled "Your opinions about religious liberty in the U.S." Participants were first asked several demographic questions. They were then allowed to proceed to the experimental scenarios.

Political orientation. As part of the demographic section, participants indicated how liberal or conservative they see themselves as on a scale ranging from 1 (*extremely liberal*) to 7 (*extremely conservative*), $M = 3.65$; $SD = 1.79$.

Attention check. As part of the demographic section, we applied two attention check tests, typically used with online participants (see, e.g., Waytz & Young, 2011). In the first test participants were told the following:

Some participants in surveys fail to pay attention to the questions asked and answer automatically. This can affect the results and skew the data. In order to prevent this situation we created a control question. In this question we ask you not to answer anything and simply continue to the next page. Nonattentive participants will end up selecting hobbies from the below list despite the above instructions.

This question was followed up with a question asking: "Which activities do you engage in regularly (check all that apply)?" Participants who provided any answer to this question were excluded due to failing the attention check.

A second attention check told participants that, "For sake of validation, please type the *same* number you use for this question as your answer for the next one (ignoring the question about 'number of times the letter 'a' appears in the sentence)." Participants who showed discrepancies in their answers were also excluded from further analyses.

Introduction to the experimental scenarios. Before proceeding to the experimental scenarios, participants read the following:

In the United States, many people believe that religious liberty is a basic right. The Constitution and federal statutes also protect religious liberty. There is a debate, however, about who is entitled to these protections of religious liberty and to what extent. In this study, we are interested in your opinions about the right to religious liberty and who, in your view, is entitled to have it.

Consistent with our goals we presented religious liberty rights as anchored in both federal and statutory law and asked participants for their opinion, which could be based on either normative or descriptive grounds.

Business setting. Participants were presented with descriptions of five prompts each describing a different business setting.

Family-owned store. “Consider a corner grocery store located in the small town of Davis, Nebraska. The store is owned by Ben and Eva Gordon. Apart from the two owners, the store has 3 full-time employees. The store is a legally separate entity incorporated under state law.”

Local chain. “Consider a local chain of several grocery stores that are located within twenty miles of each other, within the state of Nevada. The chain employs about 700 people, and has a management team that includes Chief Executive Officer, Chief Finance Officer, as well as a team of 50 local branch managers. The stores are part of a single company. The chain is a legally separate entity incorporated under state law. The equity in that company is not publicly traded, but is held by a small group of individual owners.”

National chain. “Consider a national chain of 1,500 grocery stores that has branches across the Atlantic seaboard, the Midwest, South and Pacific coasts. The chain has about 100 employees in each branch (150,000 employees altogether across the country). The chain is managed by a team that includes a Chief Executive Officer, a Chief Finance Officer, and 150 local branch managers. The chain is a legally separate entity incorporated under state law. The equity in the company is publicly traded on the New York Stock Exchange.”

Secular nonprofit. “Consider a not-for-profit organization that operates a food bank that serves both urban and rural communities across New Mexico, Oklahoma, Texas, and Arkansas. The food bank has 500 volunteers and is managed by a team of four presidents—each overseeing a different state.”

Religious nonprofit (church). “Consider a local church that also operates social services and provides aid to the needy in the community. The church has branches across adjacent towns in South Dakota. The church has about 500 employees, including clergy and lay employees. It is managed by a group of four spiritual leaders, rotating in their positions every two years.”

Target identity. After they had read each of these prompts, participants were asked to “rate to which extent the following [targets] have a right for religious liberty,” on a scale ranging from 1 (*not at all*) to 7 (*very much*). The targets always included the company’s owners (in the case of the food bank we used the presidents as a closest substitute for owners; in the case of the church we used the pastors); the company’s employees (in the case of the food bank we used volunteers); and the company itself as a separate legal entity.

Results and Discussion

We conducted a 5 (Business Setting) \times 3 (Target Identity) Repeated Measures ANOVA on participants’ ratings of targets’ religious liberty rights. The results of this analysis are presented in Figure 1.

As Figure 1 shows, our analysis yielded a strong main effect of target identity, $F(2, 190) = 96.52, p < .001, \eta_p^2 = .50$. Simple effect analyses of this effect indicated that participants were less

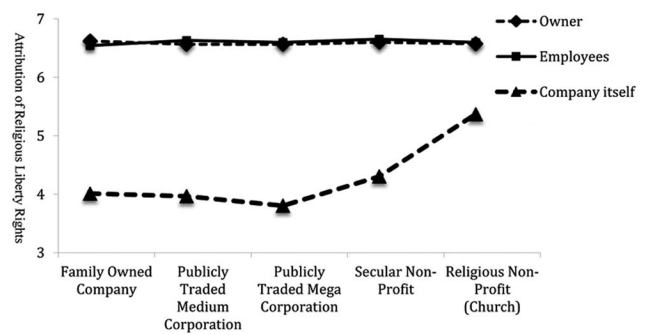


Figure 1. Attribution of religious liberty rights as function of business context and target identity, Study 1.

likely to attribute religious liberty rights to companies ($M = 4.35, SD = 2.14$) in comparison with owners ($M = 6.57, SD = .94$) or employees ($M = 6.58, SD = 0.89$), $t(95) = 9.74, p < .001, d = 1.36, CI_d = [1.12, 1.59]$; $t(95) = 9.87, p < .001, d = 1.37, CI_d = [1.14, 1.61]$ respectively. We found no difference in the attribution of religious liberty rights to owners or employees, $t(95) = 0.33, p = .74, d = 0.011, CI_d = [-0.112, 0.14]$.

There was also a main effect of business setting, $F(4, 380) = 12.58, p < .001, \eta_p^2 = .12$, suggesting that participants were most likely to attribute religious liberty to some entities rather than others. Simple effect analyses of this main effect are presented in Table 1.

We also found a significant interaction between target identity and business setting, $F(8, 728) = 21.4, p < .0001, \eta_p^2 = .19$. Although target identity exerted a significant effect in all business settings – Family owned store: $F(2, 210) = 86.70, p < .001, \eta_p^2 = .452$; Local Chain: $F(2, 210) = 96.17, p < .001, \eta_p^2 = .478$; National Chain: $F(2, 210) = 103.85, p < .001, \eta_p^2 = .495$; Secular nonprofit: $F(2, 210) = 74.39, p < .001, \eta_p^2 = .412$; Church: $F(2, 210) = 29.96, p < .001, \eta_p^2 = .219$ – it was significantly stronger in the for-profit businesses and weaker in the nonprofit business, particularly the church.

Pairwise comparisons between targets in each business setting are presented in Table 2. As can be seen in Table 2 in all business settings there were significant differences between rights attributed to companies versus owners or employees. These differences were significantly more pronounced in the three for-profit business settings, and less pronounced in the nonprofit business settings, particularly the church. However, even in the case of the church people still significantly attributed more religious liberty rights to the individuals constituting this organization rather than to the church itself as a separate entity.

Political ideology. Because perceptions of corporate rights are often seen as influenced by ideological priors, we explored the role of political ideology in predicting these results. To this purpose, we conducted Repeated Measure ANCOVA and entered the political ideology variable as a continuous covariate in a full factorial design. Results of this analysis are plotted in Figure 2a and 2b. This analysis yielded no significant main effect of political ideology, $F(1, 94) = 1.99, p = .16$. The two-way interaction between political orientation and business settings also failed to reach significance, $F(4, 376) = 2.22, p = .07, \eta_p^2 = .023$. We did, however, find a two-way interaction between political orientation and target identity, $F(2, 188) = 4.45, p = .01, \eta_p^2 = .045$, and a

Table 1
Simple Main Effect Analyses of Business Setting on the Attribution of Religious Liberty Rights, Study 1

	<i>M</i>	<i>SD</i>		<i>t</i> (95)	<i>p</i>	<i>d</i>	CI (<i>d</i>)		<i>t</i> (95)	<i>p</i>	<i>d</i>	CI (<i>d</i>)
Grocery store (GS)	5.73	1.03	GS-LC	.20	=.84	.01	-.14, .16	LC-SNP	-2.49	=.015	-.13	-.28, -.01
Local chain (LC)	5.72	1.05	GS-NC	1.05	=.30	.06	-.1, .21	LC-C	-4.48	<.001	-.41	-.57, -.25
National chain (NC)	5.67	1.11	GS-SNP	-2.15	=.03	-.15	-.27, -.02	NC-SNP	-3.05	=.003	-.17	-.33, -.02
Secular nonprofit (SNP)	5.86	1.08	GS-C	-4.2	<.001	-.4	-.56, -.25	NC-C	-4.34	<.001	-.44	-.62, -.28
Church (C)	6.17	1.16	LC-NC	1.05	=.3	.05	-.1, -.25	SNP-C	-2.86	=.005	-.28	-.44, -.12

three-way interaction effect of political orientation by business setting and target identity, $F(8, 752) = 2.07, p = .03, \eta_p^2 = .022$. Simple main effect analyses of these interaction patterns are presented in Tables 3 through 5.

The results presented in Figure 2a and 2b and in Tables 3 through 5 suggest that liberals and conservatives did not differ with respect to the extent to which they attributed religious liberty rights to employees and owners. However, political ideology impacted the attribution of religious liberty rights to companies: Conservatives were more likely than liberals to attribute such rights companies particularly to the for-profit companies. Importantly however, as can be seen in Tables 4 and 5, both liberals and conservatives displayed a strong tendency to attribute religious liberty rights to individuals (employees or owners), and a weaker (but not nonexistent) tendency to attribute those rights to corporate entities.

The relations between corporate and employee rights. Following Waytz and Young (2011), we examined the relations between individual and corporate rights. Waytz and Young identified negative correlations between attributions of mind to groups and their members. Because participants' scores showed little variation in the for-profit businesses (see Figure 1), we focused on the family owned business. We fitted a linear regression model in which participants' scores of employees' religious rights (centered) were regressed onto their scores of the company's religious

rights. Unlike Waytz and Young's work, our analysis identified no relation between an individual's attributions of employee and corporate rights, $B = -.12, SE = .052, p = .14$. We did, however, find an interaction between political ideology and the relations between employee and corporate rights, $B = .31, SE = .157, \beta = .21, p = .05, CI [0, .617]$. The results of this second analysis are plotted in Figure 3.

The data presented in Figure 3 suggest that the relation between employee and corporate rights varied as the ideological preferences of participants changed. For liberals, employee and corporate rights were negatively correlated. That is, the more liberals tended to support religious rights of employees, the less they tended to support religious rights of a company. For conservatives, by contrast, corporate and employee rights were positively related. The more conservatives endorsed religious liberty rights of employees, the more they endorsed these rights in the context of the company itself. These results, it should be stressed, do not reflect a research design that posited a trade-off between corporate and individual rights. Rather, *notwithstanding* the potential concern that a within-person study design would lead participants to positing implicit trade-offs between individual and entity rights, we found that participants have a range of understandings of the underlying relationship between the two species of entitlements.

In net, these results suggested that individuals consider natural persons to be bearers of religious freedom rights to a greater extent

Table 2
Pair-Wise Comparisons Attribution of Religious Liberty Rights, Study 1

Company type	<i>M</i>	<i>SD</i>		<i>t</i> (95)	<i>p</i>	<i>d</i>	CI (<i>d</i>)
Family-owned							
Owner	6.6	.96	Owner-Company	9.65	<.001	1.36	1.10, 1.63
Employee	6.52	1.1	Employee-Company	8.88	<.001	1.31	1.04, 1.57
Company	4.07	2.43	Owner-Employee	1.13	=n/s	.08	-.07, .22
Local chain							
Owner	6.54	1.02	Owner-Company	9.52	<.001	1.36	1.10, 1.62
Employee	6.58	.96	Employee-Company	9.75	<.001	1.39	1.13, 1.65
Company	4.04	2.41	Owner-Employee	-.89	=n/s	-.04	-.18, .1
National chain							
Owner	6.54	1.08	Owner-Company	10.13	<.001	1.44	1.18, 1.7
Employee	6.54	1.08	Employee-Company	10.47	<.001	1.43	1.16, 1.69
Company	3.87	2.43	Owner-Employee	.00	=n/s	.00	-1.53, 1.53
Secular nonprofit							
Owner	6.54	1.08	Owner-Company	8.65	<.001	1.21	.95, 1.47
Employee	6.62	.98	Employee-Company	8.09	<.001	1.4	1.15, 1.66
Company	4.37	2.39	Owner-Employee	-1.00	=n/s	-.08	-.22, .07
Church							
Owner	6.56	1.07	Owner-Company	5.35	<.001	.67	.43, .92
Employee	6.56	1.06	Employee-Company	5.39	<.001	.67	.43, .92
Company	5.41	2.18	Owner-Employee	.00	n/s	.00	-1.51, 1.51

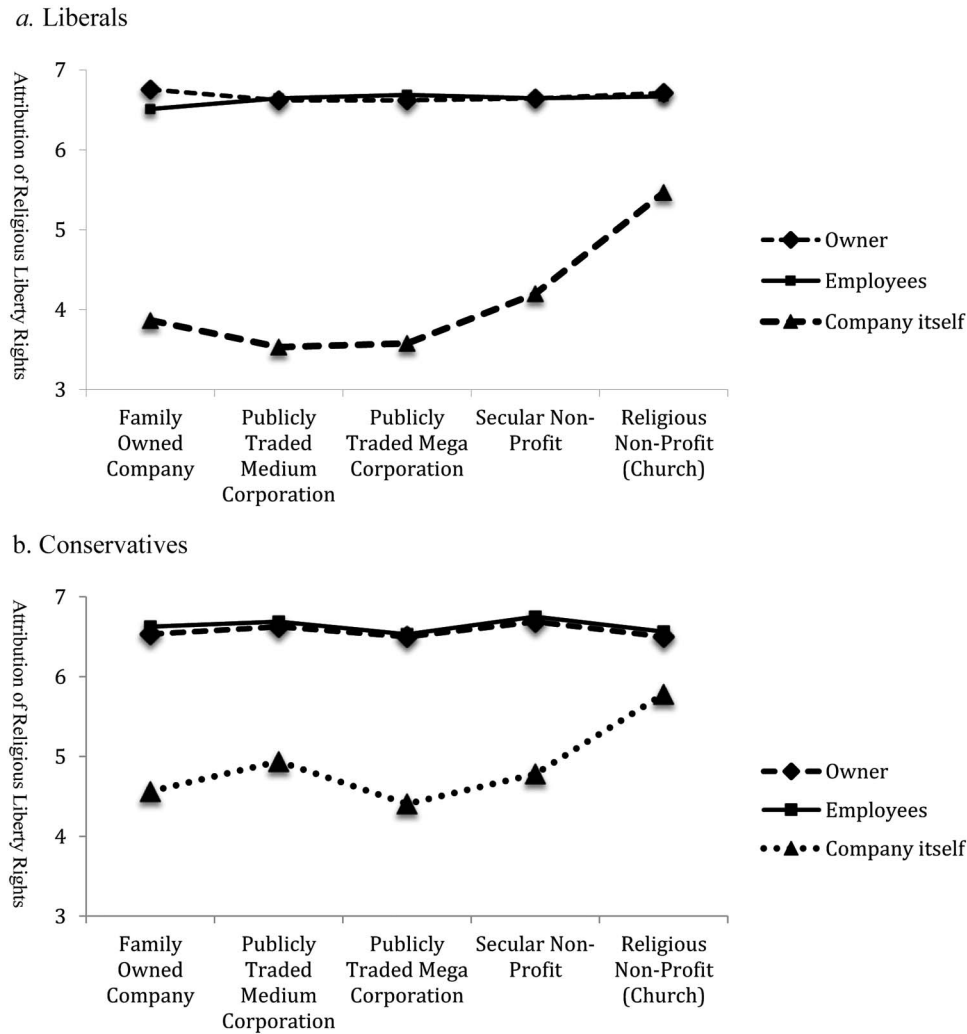


Figure 2. Attribution of religious liberty rights as function of business context target identity and political Ideology. The graphs were plotted based on the scale midpoint: below the midpoint (<4) for liberals and above the midpoint (>4) for conservatives. (a) Liberals; (b) Conservatives.

than entities in which those persons own or work for. This effect was particularly pronounced in the case of for-profit businesses but was nevertheless robust across specifications involving different kinds of entities, including a nonprofit organization and a church.

Our results do not support the further conclusion that the precise structure of a for-profit entity influences participants, as the differences between all forms of for-profit entities were small. We did find, however, a statistically significant difference in attribution of

Table 3
Simple Effect Analyses Attribution of Religious Liberty Rights by Political Ideology and Target Identity, Study 1

	M	SD		t(45)	p	d	CI (d)
Liberals							
Owner	6.68	.85	Owner-Company	7.832	<.001	1.61	1.23, 1.99
Employee	6.64	.90	Employee-Company	7.688	<.001	1.57	1.19, 1.95
Company	4.19	2.05	Owner-Employee	1.086	=.283	.05	-.17, .26
Conservatives							
Owner	6.58	.91	Owner-Company	4.77	<.001	1.06	1.10, 1.62
Employee	6.64	.72	Employee-Company	5.03	<.001	1.14	.77, 1.5
Company	4.96	2.00	Owner-Employee	-1.24	=.224	-.07	-.27, .12

Table 4

Pair-Wise Comparisons Attribution of Religious Liberty Rights Across Business Setting and Target Identity, Liberals Only, Study 1

Company type		<i>M</i>	<i>SD</i>		<i>t</i> (45)	<i>p</i>	<i>d</i>	CI (<i>d</i>)
Family-owned								
Owner	Owner	6.76	.71	Owner-Company	7.68	<.001	1.64	1.28, 1.99
Employee	Employee	6.52	1.17	Employee-Company	5.25	<.001	1.4	1.02, 1.78
Company	Company	3.93	2.37	Owner-Employee	1.71	=.09	.25	-.01, .49
Local chain								
Owner	Owner	6.63	1.02	Owner-Company	7.87	<.001	1.65	1.26, 2.02
Employee	Employee	6.65	1.04	Employee-Company	7.92	<.001	1.65	1.27, 2.03
Company	Company	3.61	2.42	Owner-Employee	-.33	=n/s	-.04	-.18, .1
National chain								
Owner	Owner	6.63	1.1	Owner-Company	7.73	<.001	1.57	1.17, 1.96
Employee	Employee	6.7	1.01	Employee-Company	8.00	<.001	1.43	1.24, 2.01
Company	Company	3.65	2.49	Owner-Employee	-1.35	=.18	-.07	-.28, .15
Secular nonprofit								
Owner	Owner	6.65	1.04	Owner-Company	6.65	<.001	1.29	.91, 1.67
Employee	Employee	6.65	1.08	Employee-Company	6.47	<.001	1.28	.90, 1.67
Company	Company	4.26	2.44	Owner-Employee	0	n/s	0	0, 0
Church								
Owner	Owner	6.72	.66	Owner-Company	3.94	<.001	.78	.46, 1.1
Employee	Employee	6.67	.87	Employee-Company	3.74	=.001	.72	.39, 1.05
Company	Company	5.5	2.14	Owner-Employee	.7	n/s	.06	-.09, .22

rights between for-profit and nonprofit entities, where the later are deemed more worthy of religious rights. But even with respect to religious institutions, participants distinguished the religious liberty rights of individuals and entities.

Finally, we found little evidence that participants' political ideology explained these results. Conservative respondents demonstrated only slightly greater willingness to grant for-profit corporations more religious liberty rights. The most significant difference that emerges between the ideological poles of the participant population concerns the perceived relationship between individual and corporate rights. For conservatives, these two spe-

cies of rights tended to be positively correlated; for liberals, they were negatively correlated.

Study 2

Study 2 extended the framework of inquiry applied to religious liberty in Study 1 to the right to privacy. The design of Study 2 substantially tracked the design to Study 1, but concerned the right of privacy. As in Study 1, participants were presented with several hypotheticals concerning a diverse array of corporate entities, and were asked to evaluate the extent to which given targets had

Table 5

Pair-Wise Comparisons Attribution of Religious Liberty Rights Across Business Setting and Target Identity, Conservatives Only, Study 1

Company type		<i>M</i>	<i>SD</i>		<i>t</i> (31)	<i>p</i>	<i>d</i>	CI (<i>d</i>)
Family-owned								
Owner	Owner	6.53	1.08	Owner-Company	4.61	<.001	1.06	.59, 1.52
Employee	Employee	6.62	.87	Employee-Company	4.96	<.001	1.14	.69, 1.59
Company	Company	4.56	2.45	Owner-Employee	-1.36	=.18	-.09	-.33, .15
Local chain								
Owner	Owner	6.63	.87	Owner-Company	4.36	<.001	1.04	.63, 1.44
Employee	Employee	6.69	.64	Employee-Company	4.63	<.001	1.11	.72, 1.50
Company	Company	4.94	2.17	Owner-Employee	-1.98	=.056	-.08	-.23, .15
National chain								
Owner	Owner	6.50	1.08	Owner-Company	5.08	<.001	1.17	.72, 1.61
Employee	Employee	6.53	.98	Employee-Company	5.2	<.001	1.2	.76, 1.64
Company	Company	4.41	2.34	Owner-Employee	-1.00	=n/s	-.03	-.28, .22
Secular nonprofit								
Owner	Owner	6.69	.82	Owner-Company	4.55	<.001	1.15	.74, 1.56
Employee	Employee	6.75	.62	Employee-Company	4.8	<.001	1.22	.82, 1.62
Company	Company	4.78	2.24	Owner-Employee	-1.44	= n/s	-.08	-.26, .09
Church								
Owner	Owner	6.50	1.44	Owner-Company	4.55	<.001	.45	.07, .84
Employee	Employee	6.56	1.24	Employee-Company	4.81	<.001	.49	.1, .88
Company	Company	5.78	2.03	Owner-Employee	-1.43	= n/s	-.06	-.31, .19

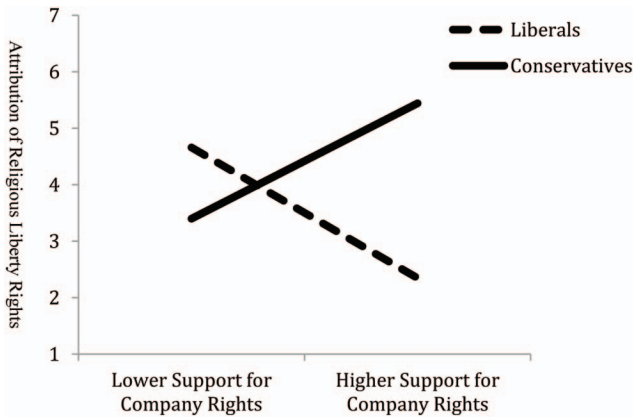


Figure 3. Perception of company rights by perception of employee rights and political ideology, Study 1 (graph is plotted based on ± 1 SD from the sample mean).

privacy rights. As in Study 1, we did not decompose privacy rights into its many variants (which, under American law, include the right against unreasonable police searches, the right against intrusive neighbors, and the right to an abortion). Rather, we focus on the threshold question of whether participants view individuals and entities equally as bearers of rights.

Participants

One hundred fifty participants were recruited online using Mturk platform, employing the same eligibility criteria as in Study 1. Twenty-eight participants failed the attention-check filters (identical to those used in Study 1), and were thus excluded from further analyses. Just like in Study 1, the final sample was demographically diverse: 46.8% were female; 72.1% were white; mean age = 35.98 ($SD = 13.79$); in terms of education: 7.4% participants had a high school education, 35.2% had post a high school (but no college) degree, and 36.1% had a college degree. We did not, as in Study 1, gather information on subjects' religiosity because this was not relevant to the object of this study.

Procedure and Materials

The procedure and materials used were similar to those of Study 1. Participants read the same introductory paragraph (adapted to the context of privacy), and were presented with five different corporate entities (in a random order), and asked to rate the extent to which these companies' owners, employees, and the entity itself had privacy rights.

Experimental scenarios. The three for-profit businesses were identical to those used in Study 1, and included a family owned store, a local chain, and a national mega chain. We omitted the nonprofit and the church hypotheticals used in Study 1, which were keyed to the religious context, and instead included two additional businesses as follows:

Newspaper. "Consider a daily newspaper published in Washington, DC. The newspaper has about 300 employees, including journalists and editorial staff and is published in the district daily since 1881. The newspaper is owned by the Silver family, which has several other newspapers and media outlets." We included a

newspaper for two reasons. First, news reporting can implicate the privacy interests of sources as well as targets of journalism. Second, newspapers are also an obvious object of analysis for free speech rights, the subject of Study 3. Hence, their inclusion here facilitates cross-study comparisons.

Mental health center. "Consider a mental health center that operates in several locations across California. The center has about 500 employees, including psychiatrists, psychologists and other staff members, and is managed by a president who oversees all the locations."

Targets. In each of the scenarios, participants were asked to "rate to which extent the following [targets] have privacy rights", on a scale ranging from 1 (*not at all*) to 7 (*very much*). The targets always included the company's owners (in the case of mental health center we asked about the presidents of the center); the company's employees, and the company itself as a separate legal entity.

Results and Discussion

We conducted a 3×5 repeated measure ANOVA similar to the one employed in Study 1. The results of this study are presented in Figure 4.

As Figure 4 shows, our analysis yielded a robust main effect of the target identity, $F(2, 240) = 101.67, p < .001, \eta_p^2 = .46, CI = [.37, .53]$. This tracks the basic finding of Study 1 in the context of a different right. That is, participants were less likely to grant privacy rights to companies ($M = 4.46, SD = 1.84$) compared with to their owners ($M = 5.97, SD = 1.17$) and employees ($M = 6.32, SD = .80, t(120) = 10.03, p < .001, d = 0.98, CI_d = [0.79, 1.18]$; $t(120) = 10.93, p < .001, d = 1.32, CI_d = [1.14, 1.5]$ respectively. Unlike in this Study 1, participants were significantly more likely to attribute privacy rights to employees compared with owners, $t(120) = 4.51, p < .001, d = 0.35, CI_d = [0.22, 0.48]$.

There was also a main effect of Business Setting, $F(4, 480) = 16.61, p < .001, \eta_p^2 = .12$, suggesting that participants were most likely to attribute privacy rights to the family owned store and least likely to attribute such rights to the national corporation was the least likely to be granted privacy rights. Full simple effect analyses of this main effect can be found in Table 6.

We also found a significant interaction effect of target identity and business setting, $F(8, 960) = 5.95, p < .001, \eta_p^2 = .05$. This interaction suggests that while target identity exerted a significant effect in all business settings, its effect varied across business

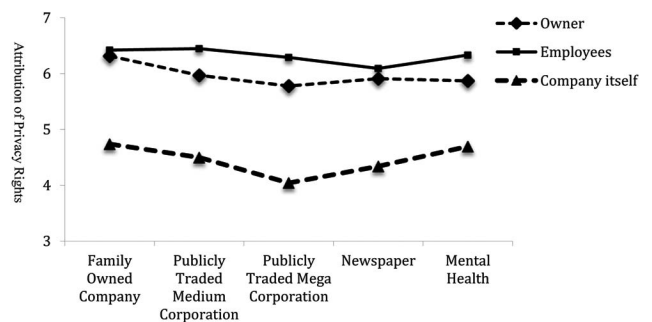


Figure 4. Attribution of privacy rights as function of business context and target identity, Study 2.

Table 6
Simple Main Effect Analyses of Business Setting on Attribution of Privacy Rights, Study 2

	<i>M</i>	<i>SD</i>		<i>t</i> (120)	<i>p</i>	<i>d</i>	CI (<i>d</i>)		<i>t</i> (120)	<i>p</i>	<i>d</i>	CI (<i>d</i>)
Grocery store (GS)	5.82	1.00	GS-LC	=3.66	<.001	.17	.04, .3	LC-HC	.089	=.93	.01	-.13, .15
Local chain (LC)	5.64	1.08	GS-NC	=6.63	<.001	.44	.31, .57	LC-NW	3.26	=.001	.17	.03, .32
National chain (NC)	5.37	1.07	GS-HC	=2.92	=.004	.17	.04, .31	NC-HC	-3.84	<.001	-.23	-.37, -.09
Health center (HC)	5.63	1.19	GS-NW	=5.81	<.001	.34	.20, .48	NC-NW	-1.25	=.22	-.06	-.21, .08
Newspaper (NW)	5.44	1.22	LC-NC	=4.9	<.001	.25	.12, -.39	HC-NW	3.002	=.003	.16	.01, .31

setting condition (Family owned store: $F(2, 242) = 73.54, p < .001, \eta_p^2 = .38$; Local Chain: $F(2, 242) = 85.05, p < .001, \eta_p^2 = .415$; National Chain: $F(2, 242) = 89.82, p < .001, \eta_p^2 = .428$; Mental Health Center: $F(2, 242) = 58.96, p < .001, \eta_p^2 = .329$; Newspaper: $F(2, 242) = 77.43, p < .001, \eta_p^2 = .392$). Pairwise comparisons of the different targets across business settings are presented in Table 7. As can be seen in Table 7 in all business settings there were significant differences between rights attributed to companies versus owners or employees. However, these differences were more pronounced in the national mega corporations, and less pronounced in the family-owned store or the mental health center. Furthermore, whereas in the context of religious liberty participants showed no difference in the tendency to grant religious liberty rights to employees as opposed to owners, in the context of privacy, participants did meaningfully distinguish between different natural persons. Specifically, they were more willing to recognize the rights of employees rather than the rights of owners.

Political ideology. As in Study 1, we then conducted a 5 (business settings) \times 3 (target identity) repeated measure ANCOVA, and entered political orientation as a continuous variable in a full factorial design. Results indicated no main effect of political orientation, $F(1, 119) = 1.08, p = .3$. The two way interaction between political ideology and business setting failed to reach significance, $F(4, 476) = 0.48, p = .83$, as did the three

way interaction between ideology target identity and business setting, $F(8, 952) = 1.69, p = .09, \eta_p^2 = .014$. We found a significant interaction between target identity and political ideology, $F(2, 238) = 3.42, p = .03, \eta_p^2 = .028$. Simple effect analyses of this interaction are presented in Table 8. As can be seen in Table 8, liberals attributed more privacy rights to employees versus owners, whereas conservatives showed no difference in attribution of privacy rights between employees and owners. Furthermore, Conservatives were more likely to attribute privacy rights to companies. Nevertheless, as in Study 1, both liberal and conservatives were significantly more likely to attribute privacy rights to people (owners or employees) relatively to companies.

The relations between company and employee rights. We conducted the same regression analysis performed in Study 1 to examine the interaction between ideology and the perceived relationship between individual and entity rights. Results of this analysis are presented in Figure 5. This analysis yielded the same political ideology by employee rights interactions, $B = .22, SE = .12, \beta = .17, p = .06, CI [-.01, .45]$. Again, the observed relations between rights attributions to individuals and entities diverged between liberals and conservatives. For liberals, corporate and employee rights were negatively related. For conservatives, by contrast, they were positively related.

In summary, Study 2 generated results that echoed the main findings of Study 1 in a different context of a right to privacy.

Table 7
Pair-Wise Comparisons Attribution of Privacy Rights, Study 2

Company type	<i>M</i>	<i>SD</i>		<i>t</i> (121)	<i>p</i>	<i>d</i>	CI (<i>d</i>)
Family-owned							
Owner	6.31	1.06	Owner-Company	8.76	<.001	.99	.78, 1.2
Employee	6.42	.91	Employee-Company	8.85	<.001	.92	.87, 1.27
Company	4.74	2.00	Owner-Employee	-1.78	=.08	-.11	-.24, .01
Local chain							
Owner	5.97	1.24	Owner-Company	9.04	<.001	.87	.7, 1.13
Employee	6.45	.87	Employee-Company	10.12	<.001	1.25	1.05, 1.45
Company	4.5	2.04	Owner-Employee	-4.98	<.001	-.45	-.58, -.31
National chain							
Owner	5.78	1.38	Owner-Company	9.34	<.001	1.00	.78, 1.22
Employee	6.29	1.00	Employee-Company	10.75	<.001	1.4	1.19, 1.60
Company	4.04	2.06	Owner-Employee	-4.25	<.001	-.43	-.58, -.28
Mental health center							
Owner	5.87	1.48	Owner-Company	6.79	<.001	.67	.44, .89
Employee	6.33	.92	Employee-Company	8.98	<.001	1.05	.85, 1.24
Company	4.69	2.03	Owner-Employee	-4.78	<.001	-.38	-.53, -.22
Newspaper							
Owner	5.91	1.35	Owner-Company	8.86	<.001	.92	.70, 1.13
Employee	6.09	1.13	Employee-Company	9.92	<.001	1.07	.86, 1.28
Company	4.34	2.03	Owner-Employee	-1.88	=.06	-.15	-.3, .01

Table 8
Simple Effect Analyses of Political Ideology and Target Identity on the Attribution of Privacy Rights, Study 2

	<i>M</i>	<i>SD</i>		<i>t</i> (64)	<i>p</i>	<i>d</i>	CI (<i>d</i>)
Liberals							
Owner	5.96	1.18	Owner-Company	7.20	<.001	1.08	.8, 1.36
Employee	6.35	.85	Employee-Company	8.14	<.001	1.4	1.14, 1.67
Company	4.20	2.02	Owner-Employee	-3.68	<.001	-.38	-.56, -.21
				<i>t</i> (37)			
Conservatives							
Owner	6.10	.99	Owner-Company	5.80	<.001	.92	.71, 1.13
Employee	6.16	1.01	Employee-Company	5.58	<.001	.96	.75, 1.18
Company	4.97	1.44	Owner-Employee	-.7	=.49	-.06	-.23, .11

Results suggested that the most important factor determining attributions of privacy rights was the identity of the rights bearer: Natural persons were roughly twice as likely to have rights recognized as corporate entities. There was also variation in the observed willingness to attribute companies privacy rights as a function of the business structure (with larger corporations being least likely to be attributed privacy rights) and goals (with the mental health center and newspaper being attributed privacy rights to a greater extent than other entities), as well as political orientation (with conservatives being slightly more inclined to attribute privacy rights to businesses). But these effects were smaller in magnitude than the gap between individual and entity rights. In addition, we also found, as in Study 1, that ideology moderated participants' understanding of the relationship between employee and company rights. Roughly speaking, liberals seemed to perceive a trade-off, where conservatives perceived a correlation.

Study 3

The purpose of Study 3 was twofold. First, we sought to examine whether the results of Studies 1 and 2 can be replicated in the context of freedom of speech. The idea that companies have free speech rights has been discussed as a consequence of *Citizens' United*. Second, in this study, we also began to explore the reasons underlying participants' attributions of corporate rights. We tested

two hypotheses: (a) individuals recognize corporate rights because they want to protect businesses; and alternatively (b) they recognize such rights because they believe such recognition will conduce to the protection of individual rights. The first hypothesis, that is, implies that corporate rights are an intrinsic good; the second suggests they are an instrumental goal.

Participants

One hundred participants were recruited online form Mturk platform, using the same eligibility criteria as in Studies 1 and 2, and were paid \$.50 each for their participation. Twelve participants failed the attention-check filters (identical to those used in Studies 1 and 2), and were excluded from the analysis. The final sample was demographically diverse: 63.6% males, 79.5% Whites; mean age = 36.2 (*SD* = 14), mean political ideology = 3.52 (*SD* = 1.7); education: 6.8% participants had high school education, 29.5% had a post high school (but no college) degree, and 37.5% had a college degree.

Procedure and Materials

The procedure and materials used were similar to those of Studies 1 and 2, adapted to the free speech context. The descriptions of the three for-profit businesses were identical to those used in Study 2. We also included an identical description of a newspaper as a goal-unique business that was included in Study 2. In addition, participants were presented with another nonprofit organization using the following description:

Nonprofit organization. "Consider a not-for-profit organization called 'Democracy Watch' that works to promote democracy and transparency in U.S government and state institutions. The NGO has 500 volunteers and is managed by a team of four presidents—each overseeing a different state."

Targets. In each of the scenarios participants were asked to "rate to which extent the following [targets] have free speech rights", on a scale ranging from 1 (*not at all*) to 7 (*very much*). The targets always included the company's owners (in the nonprofit we used the presidents), the company's employees (in the case of the nonprofit we used volunteers), and the company itself as a separate legal entity.

Mediators. To assess the reasons underlying participants' decision to attribute (or not) rights to entities, we introduced two potential explanations. After participants completed the rating of

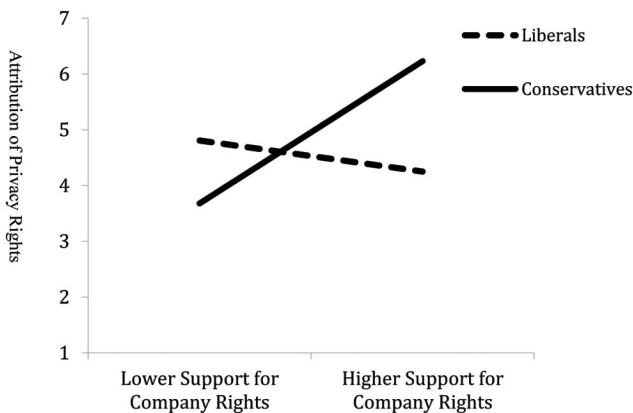


Figure 5. Perception of company rights by perception of employee rights and political ideology, Study 2 (graph is plotted based on ±1 *SD* from the sample mean).

targets' free speech rights in each of the five scenarios, we asked them to consider again three of the entities previously presented to them: the national chain, the newspaper, and the nonprofit organization 'Democracy Watch.' We provided a brief summary of the information previously given about these organizations. In respect to each organization, participants were asked how much they agree or disagree that the given organization (the relevant name was provided) as a separate entity should be given free speech rights "to protect the free speech of American citizens" or in order "to protect the free speech of American businesses." Responses were possible on a scale ranging from 1 (*strongly disagree*) to 7 (*strongly agree*).

Results and Discussion

As a threshold matter, Study 3 generated results that tracked in large measure those of Studies 1 and 2. The results of a 3×5 repeated measure ANOVA are presented in Figure 6. This analysis revealed a main effect of target identity, $F(2, 170) = 13.21, p < .0001, \eta_p^2 = .14, CI [.049, .225]$, suggesting that participants were less likely to grant free speech rights to companies ($M = 5.71, SD = 1.54$) compared with to their owners ($M = 6.42, SD = 0.87$) and employees ($M = 6.31, SD = .99, t(87) = 4.65, p < .001, d = 0.57, CI d = [0.39, 0.76]; t(87) = 3.65, p < .001, d = 0.47, CI d = [0.28, 0.66]$ respectively. Unlike in this Study 2, participants were significantly more likely to attribute privacy rights to owners compared with employees, $t(87) = 2.00, p = .049, d = 0.12, CI d = [0.00, 0.24]$.

We also found a main effect of the business setting $F(4, 340) = 2.87, p = .02, \eta_p^2 = .03$. Participants were most likely to grant free speech rights to the nonprofit organization and least likely to attribute free speech rights to national chains. Simple effect analyses of this effect are presented in Table 9.

Again, there was a significant target identity by business setting interaction, $F(8, 680) = 1.95, p = .05, \eta_p^2 = .025$. Simple effects analysis indicated that although identity had a significant effect in all experimental contexts, participants were more likely to attribute free speech rights to the newspaper and the nonprofit organization

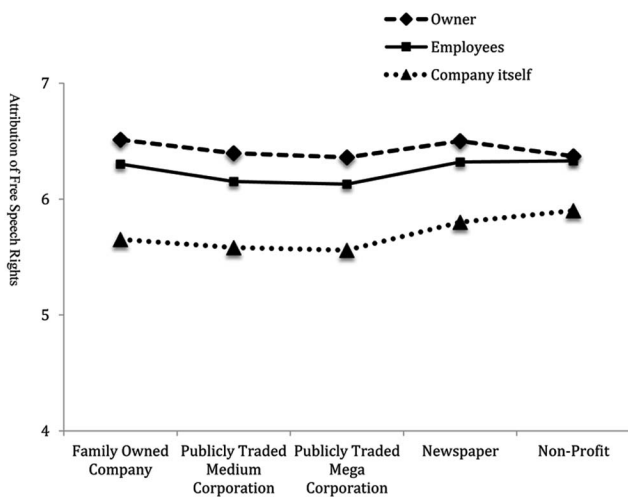


Figure 6. Attribution of free speech rights as function of business context and target identity, Study 3.

in comparison to the three for-profit businesses (Family owned store: $F(2, 174) = 13.58, p < .001, \eta_p^2 = .135$; Local Chain, $F(2, 174) = 11.17, p < .001, \eta_p^2 = .115$; National Chain, $F(2, 174) = 10.83, p < .001, \eta_p^2 = .111$; Nonprofit, $F(2, 174) = 6.73, p = .002, \eta_p^2 = .072$; Newspaper, $F(2, 174) = 9.83, p < .001, \eta_p^2 = .103$). Pairwise comparisons between targets in each business setting are presented in Table 10. As can be seen in Figure 6 and Table 7 in all business settings there were significant differences between rights attributed to companies versus owners or employees. These differences were slightly more pronounced in the three for-profit business settings, compared with the newspaper, and the nonprofit organizations. Nevertheless, as in Studies 1 and 2, the interaction effect of business setting and target identity was much smaller than the effect of target identity. Furthermore, unlike the privacy context, in the free speech context participants showed a preference for the free speech rights of owners, rather than employees in all settings but the nonprofit organization (see Table 10).

Political ideology. As in Studies 1 and 2, we then conducted a 5 (business settings) $\times 3$ (target identity) repeated measure ANCOVA with political ideology as a continuous variable entered as a covariate in full factorial fashion. Results revealed no main effect of political ideology, $F(1, 84) = 1.27, p = .26$. Also, we found no significant two way interaction between political ideology and target identity or business setting: $F(2, 168) = 2.12, p = .12; F(4, 336) = 1.02, p = .4$, respectively. Finally, the three-way interaction between target identity, business setting, and political ideology also failed to reach significance, $F(8, 348) = 0.75, p = .65$. That suggests that unlike the contexts of religious liberty and free speech—which were the subjects of Studies 1 and 2—consideration of free speech rights generated similar reactions from both liberals and conservatives: Across the ideological spectrum, respondents were more likely to grant speech rights to employees and owners relative to companies.

The relations between company and employee rights. Repeating the analyses developed in Studies 1 and 2, we again regressed participants' political ideology (centered), participants' scores of the employees' possession of free speech rights (centered), and their interaction term, on ratings of the grocery store's possession of free speech rights (the results of this analysis are presented in Figure 7). This analysis showed again a significant political ideology by employee rights interaction, $B = .295, SE = .12, \beta = .26, p = .014, CI [.062, .528]$. The interaction revealed that for conservatives the relations between employees and company free speech rights were positively related and for liberals they showed a slight negative skew.

What explains people's desire to grant free speech rights to companies? To address this question we conducted three regression analyses in which participants' ratings of whether free speech rights for a given company (i.e., the national chain, the mental health center, and the newspaper) were needed to defend the rights of citizens and businesses, were entered as predictors of participants' willingness to grant rights to the relevant collective entity. The results of these analyses are summarized on Table 11. These results suggest that although there was some support that, at least in the context of the newspaper, participants' willingness to recognize entities' free speech rights was related to their desire to protect businesses, the desire to protect citizens was a more consistent and robust predictor of their attribution of rights to all the entities at stake.

Table 9
Simple Main Effect of Business Setting on Attribution of Free Speech Rights, Study 3

	<i>M</i>	<i>SD</i>		<i>t</i> (87)	<i>p</i>	<i>d</i>	CI (<i>d</i>)		<i>t</i> (95)	<i>p</i>	<i>d</i>	CI (<i>d</i>)
Grocery store (GS)	6.17	.96	GS-LC	1.73	=.088	.12	-.03, .27	LC-NW	-2.13	=.036	-.16	-.31, -.01
Local chain (LC)	6.05	1.05	GS-NC	2.23	=.028	.15	.02, .28	LC-NP	-1.68	=.096	-.15	-.3, .01
National chain (NC)	6.03	1.05	GS-NW	-.77	=.44	-.04	-.19, .11	NC-NW	-2.69	=.009	-.18	-.33, -.03
Newspaper (NW)	6.21	1.05	GS-NP	-.46	=.65	-.03	-.17, .11	NC-NP	-2.32	=.023	-.16	-.3, -.02
Nonprofit (NP)	6.19	.96	LC-NC	.43	=.67	.02	-.14, .17	NW-NP	.21	=.83	.01	-.14, .16

General Discussion

The Supreme Court’s recent forays into corporate rights in *Citizens’ United v. FEC* (2010) and *Burwell v. Hobby Lobby* (2014) have provoked considerable public protest, and in one instance called for a constitutional amendment (Blackstone, 2013). To be sure, part of the magnitude of these reactions is also explained by party cues and political partisanship (Nicholson & Hansford, 2014). Yet, there may be deeper psychological barriers to viewing collective (particularly corporate) entities and individuals as equally deserving of constitutional protection.

The results of the present study identify with greater precision the extent of public support for corporate in comparison to individual rights. In each of our three studies, we identified a significant and substantial difference between attributions of a right to individuals and attributions of a right to entities. In every study, participants were about twice as likely to recognize individuals’ as corporate entities’ rights. This result, moreover, held even with respect to corporate entities that might be thought a priori to possess a peculiarly strong claim to a given right—such as churches, with regard to religious liberty, or newspapers, with regard to free speech. To be sure, such entities, in each of the three studies, were more likely to be attributed rights than other corporate entities. But in no case did recognition of any kind of entity

right equal in strength to the support for any kind of individual right. In addition, this gap in perceived rights emerged despite the fact that participants could attribute as much of a given right to each target. This may suggest that in cases where corporate and individual rights are in conflict, the latter would be prioritized. This proposition, however, should be tested in future research.

To the extent these results imply a gap between the law’s plenary recognition of corporate rights and popular views of the same rights, the research design may understate its size. Our research design sought respondents’ judgments of rights without specifying whether these rights were constitutional, statutory, or legal in nature. It is possible that if respondents were asked the normative question whether entities *should* receive constitutional rights to religious liberty, privacy, and free speech, their expressed beliefs would diverge even further from the current legal status quo respecting those rights.

Intriguingly, our study suggests that although liberals and conservatives diverge in certain respects in the way in which they perceive the interaction between corporate entities’ and individuals’ rights to religious freedom, speech, and privacy, there is no clear liberal-conservative gap regarding the bottom-line judgment as to whether corporate entities of whatever sort obtain any one of the three rights at issue. These results complicate the standard view

Table 10
Pair-Wise Comparisons Attribution of Free Speech Rights, Study 3

Company type	<i>M</i>	<i>SD</i>		<i>t</i> (121)	<i>p</i>	<i>d</i>	CI (<i>d</i>)
Family-owned							
Owner	6.51	.86	Owner-Company	4.48	<.001	.59	.38, .8
Employee	6.31	1.02	Employee-Company	3.10	=.003	.43	.21, .66
Company	5.67	1.86	Owner-Employee	2.34	=.02	.21	.07, .35
				<i>t</i> (87)			
Local chain							
Owner	6.40	1.05	Owner-Company	4.37	<.001	.56	.34, .78
Employee	6.16	1.28	Employee-Company	2.6	=.01	.36	.13, .59
Company	5.60	1.80	Owner-Employee	2.33	=.02	.21	.03, .38
National chain							
Owner	6.36	1.01	Owner-Company	4.40	<.001	.54	.36, .72
Employee	6.14	1.33	Employee-Company	2.67	=.009	.36	.12, .59
Company	5.58	1.79	Owner-Employee	1.87	.07	.19	.01, .36
Nonprofit							
Owner	6.37	.95	Owner-Company	2.98	=.004	.39	.20, .57
Employee	6.33	1.18	Employee-Company	2.61	=.01	.36	.13, .60
Company	5.90	1.51	Owner-Employee	.48	n/s	.04	-.12, .2
Newspaper							
Owner	6.50	.99	Owner-Company	4.05	<.001	.45	.25, .65
Employee	6.32	1.17	Employee-Company	3.02	=.003	.33	.10, .53
Company	5.80	1.68	Owner-Employee	1.99	=.05	.19	.03, .45

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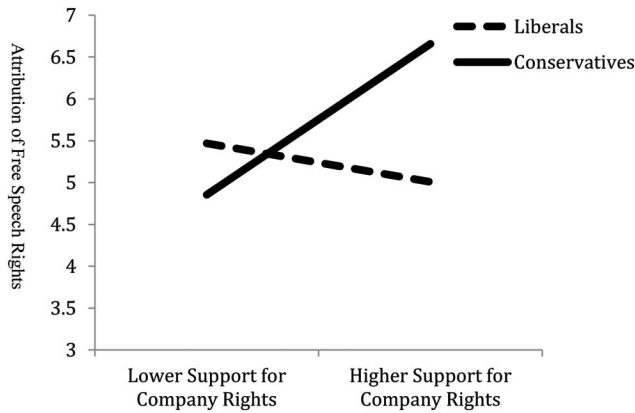


Figure 7. Perception of company rights by perception of employee rights and political ideology, Study 3 (graph is plotted based on ± 1 SD from the sample mean).

of the Court's intervention on behalf of corporations as being merely the expression of a conservative policy preference from a Court that is in some way, shape, or form, seen as a partisan actor (Bartels & Johnston, 2013; Nicholson & Hansford, 2014). Rather, robust judicial promotion of corporate rights as equivalent to individual rights would be out of step with both liberal and conservative samples of the public.

Nevertheless, liberal and conservative respondents did differ in one regard: Among conservatives, the belief that an individual right matters is positively correlated to the belief that corporate rights matter. Among liberals, in contrast, the belief that an individual right matters is negative correlated with the belief that a corporate right matters. This difference, we note, emerges despite the within-in person design of the study, which might be thought to invite comparisons of the two kinds of rights. It is easier to interpret the result for conservative respondents here, where results appear to be motivated by beliefs over importance of a given right. With respect to liberals, it might be hypothesized that respondents perceive a conflict between individual and corporate rights. Only when an individual right was not recognized was the path open to recognition of a corporate right. Further research, however, is necessary to understand the relationship of political preferences to corporate rights.

Finally, our results shed some light on the psychological mechanisms underlying people's desire to give rights to organizations. It seems that the psychology of corporate rights is driven less by the desire to protect the rights of businesses per se, but rather by a judgment that entities can operate as instruments to protect the rights of individuals.

The current study has further implications for an understanding the relations between the public and the Supreme Court. Our results suggest that the public distinguishes corporate entities' rights and individuals' rights—a result that may be at least in tension with recent Supreme Court rulings. Prior work, however, suggests that an intervention by the Court can change public opinion in respect to an issue (see, e.g., Hoekstra, 1995). There is also a debate in the literature as to whether public support for the Court is a function of its perceived compliance with procedural and legalistic norms (Gibson, Caldeira, & Baird, 1998; Zink et al.,

2009), or its conformity with observers' policy preferences (Fontana & Braman, 2012). Further research needs to elaborate whether the Court's decisions (in cases like *Hobby Lobby* and others) change public views about corporate rights to religious liberty or damage public support in the Supreme Court (or both).

Limitations and Future Directions

The studies presented here, although among the first to probe the psychology of corporate rights to religious liberty, privacy, and free speech, have several limitations. We note five of those limitations here, and related avenues of future research.

First, as noted above, we employed in this study a within-subjects and not a between-subjects design. The former has the advantage of having greater power in detecting effects and allowing the examination of the relations between individuals' and entities' rights. But it also has the disadvantage of not allowing us to rule out the possibility that participants may have implicitly compared individuals and entities in making judgments about rights. Three points are worth making here. First, the only between-subjects work that we are aware of supports a similar conclusion. Namely, it suggests that people are less concerned about the violation of corporations' rights than the violation of natural persons' rights (see Tyler & Mentovich, 2010, Study 3). Second, the fact that we did not employ tradeoff (and thus did not signal to participants that the rights of an entity are contrasting to the rights of individuals) should offset some of the concerns emerged from the design. Third, it can be argued that implicit comparison between individuals and entities also mark the discourse surrounding corporate rights, and thus this design has some external validity to it. Nevertheless, we agree that a fuller account of how people think about the rights of entities versus people requires a replication of the results in a between-subjects design. We intend to do so in future studies.

A second limitation of our study is that it supplied only general details of (a) the nature of the right, and (b) the identity of the rights holder. Of course, rights to religious liberty, privacy and free speech can be operationalized in many ways. The number of permutations of each right is extremely large, and the number of interactions with context almost innumerable. Even in the narrow context of a policy such as the contraception mandate at issue in *Hobby Lobby*, it is possible to posit a wide range of possible forms of accommodation. At one extreme, religious liberty might mean

Table 11
Connection Between Desire to Protect American Citizens and American Businesses and Granting Free Speech Rights of Companies (Study 3)

Business	B	SE	β	Sig.
Mega corporation				
Protect citizens	.404	.20	.452	= .05
Protect businesses	.311	.23	.306	= n/s
Mental health center				
Protect citizens	.603	.14	.530	< .001
Protect businesses	.176	.11	.199	= n/s
Newspaper				
Protect citizens	.579	.15	.404	< .001
Protect businesses	.375	.10	.396	< .001

that corporate entities do not have to provide any health coverage at all if such coverage frees up funds for individual employees to purchase contraception; at another extreme, it might mean simply that they cannot be required to hand out contraception on-site, but can be required to pay for insurance that enables a third party to provide it.

Given this enormous heterogeneity in specification, it is infeasible to test comprehensively participants' views on all specifications of the three rights of interest here. We therefore chose to investigate the threshold question of whether participants believed that entities had rights at all. Future research should disaggregate different context and possible specifications of rights based on issues of contemporaneous importance.

Third, our research design did not ask participants to distinguish between normative judgments and positive judgments about individual and entity rights. Although we are skeptical that people clearly distinguish between the positive and the normative on this question, it may nonetheless be of value to separately test normative judgments about what rights corporate entities should have, and what rights they do have.

Fourth, we also did not assume that participants would distinguish cleanly between statutory and constitutional rights on the ground that even the Supreme Court in *Hobby Lobby* seemed to tack between the two contexts. It is possible, however, that participants are sensitive to the perception that a right is a function of majoritarian preferences (via a legislative body), of deep cultural commitments (via the Constitution), or of elite preferences (via a federal appellate court). Disentangling the different possible etiologies of support for different species of rights, and investigating their interactions with a range of potential rights-holders, remains an important topic for future research.

Finally, we have focused solely on affirmative rights of religious liberty, privacy, and free speech. There is literature, however, about entities' responsibilities for harm, including their criminal liability (see, e.g., Sherman & Percy, 2010). As an a priori matter, there is no reason why judgments about positive entitlements and judgments about criminal responsibility must run together. However, there seem to be some parallels with regard to the psychological difficulties people encounter when they apply legal concepts originally developed to target individuals to collective entities. Thus, future inquiry should explore the parallels and difference in perceptions of corporate rights and perceptions of corporate criminal liability.

Conclusion

This study has examined laypeople's beliefs about the existence of three kinds of corporate entities' affirmative rights. A central result is that participants, regardless of the rights at stake, the business context at stake, and their ideological leaning, were significantly less likely to state that a corporate entity possessed the same degree of a given right as natural people do. This result, moreover, was robust across specifications involving different kinds of entities, including entities such as churches and newspapers that might have been thought a priori to be coequal bearers of religious liberty and free speech rights, respectively. The difference between participants' judgments concerning natural persons' and corporate entities' rights suggests at least the priority in participants' view of individual entitlements in the conception and

distribution of rights. Further, our results suggest that liberal and conservative ideological preferences are associated with different understandings of the *relationship* of individual and corporate rights, but not absolute levels of the latter. Although further research is required to understand this relationship, these findings imply that the psychology of corporate rights is more complex than previously thought, and entangled in ideological considerations in ways that have previously escaped analysis.

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