

6

STARTING MORAL JUDGMENTS: EVALUATING EXTERIOR ACTS



“Men decide many more problems by hate, love, lust, rage, sorrow, joy, hope, fear, illusion, or some similar emotion, than by reason or authority or any legal standards, or legal precedents, or law.”

MARCUS TULLIUS CICERO (106–43 B.C.), *DE ORATORE*, II, 178

Moral action has both exterior and interior aspects. The exterior dimension concerns actions viewed from outside the person, whereas the interior dimension concerns personal intention. In this chapter we focus on the exterior dimension and develop a systematic way for analyzing it in complex moral situations. *Note that any judgment of moral goodness based only on exterior actions and consequences remains incomplete. Intention plays a crucial role in the final evaluation.* The next chapter deals with this aspect of ethical judgment.

A Mathematical Analogy

In complex cases, an action may lead to many possible consequences, some good and some bad. Some of these consequences might be far more important than others, and some might be far more likely than others. To avoid confusion, we want to have a systematic method of listing and balancing all these consequences in a way that includes how important and how likely they are. The method we develop here draws on a mathematical analogy, and has the very important advantage of being straightforward and systematic. Furthermore, our method resembles the way engineering risk-benefit analysis is sometimes done,¹ and therefore should appeal to the mindset of scientists and engineers. Interestingly, the method appears to be new to classical ethics. (See note 2 for a discussion of how this approach tries to combine the insights of classical virtue theory with the clarity and precision of the “utilitarian” method.)

Many people may remain suspicious of any attempt to reduce a complex subject like ethics to mathematics. This suspicion is well founded. There is no good way to quantify some moral “variables.” How can we put a number on something like loyalty? Thus, we should remember that our mathematical analogy is *only* an analogy. It should *not* be taken literally. For this reason, we will carefully avoid putting actual numbers into any “equation,” and will not read too much into functional form. In this way we should be able to bring some of the systematic clarity of mathematics into ethics without stretching the ideas too far.

With this caution firmly in mind, let’s consider what we have to do to balance all the good and bad that can follow from an action in a complex situation. For each thing that happens, we need to decide first whether it is good or bad. Then we need to decide how important it is and how likely it is, since consequences that are more serious or more likely should tip the balance more strongly. Once we’ve made these decisions for each consequence, we can add them all together to gauge the overall balance of good and bad that springs from the action. A mathematical analogy then looks like this:

$$\text{Net goodness} = \Sigma (\text{goodness of each consequence}) \times (\text{importance}) \times (\text{likelihood}) \quad (6.1)$$

In Eq. 6.1 the symbol Σ has its usual mathematical meaning of “summation” over all the consequences.

The factor describing the goodness of each consequence describes how that consequence squares with the virtues. We can rate consequences that reflect justice, prudence, temperance and fortitude as “good,” and those that do not as “bad.” When doing this rating, we can often clarify our thinking by identifying the virtues with which the consequence connects.

The factor describing the importance of each consequence determines *how* good or bad the thing is. Good measures to use for importance might be “high,” “moderate,” “low,” or “zero.” Making this evaluation depends on which moral values we think are most important (that is, on our hierarchy of moral values as discussed in the last chapter). For example, the layoff of an unneeded clerk will matter a lot to the clerk but much less to the personnel officer in a remote office who signs the needed papers. In making this assessment, we should try as best we can to take the position of an impartial observer viewing the situation from the outside.

The factor describing likelihood can also be rated by words like “high,” “moderate,” “low,” or “zero.”³ It’s important to remember that the likelihood of a consequence represents a *cumulative* probability, incorporating the likelihood of all events leading up to that consequence. Thus, if an action leads to an unlikely consequence A, which in turn almost certainly leads to consequence B, the cumulative probability of event B is still low.

Consider, for example, a commercial jet pilot whose plane is at the end of the runway ready to take off. The pilot is making final flight checks and deciding whether to actually take off. One possible consequence of taking off is that the plane crashes, catches fire, and burns the passengers. If the plane does crash, the likelihood of injury from the resulting fire is fairly high. However, suppose the weather is good and the plane has been reliable, so that the chance of the plane crashing is very low. The *cumulative* probability of passenger injury from fire therefore remains very low. Thus, the entry for likelihood in Eq. 6.1 for the event “injury from fire” should be “very low.”

An Example

Let's see how these ideas work in practice by considering an example case.

CASE 6.0 Giving Company Goods to Friends

The clock ticked grudgingly past 9 p.m. on Wednesday night. The Pandarus Pizza Parlor momentarily was empty of customers, and Celia Peccavi busied herself with cleaning the cash register area. Suddenly a rowdy group of four young women burst in—dormmates from her floor.

“Hi Celia! What's cookin'?” giggled one. “Wait, don't tell me! Is it . . . pizza?” The newcomers dissolved in uproarious laughter.

Celia smiled weakly at the bad joke. Then she straightened up and crossed her arms. “What are you guys doing here? Shouldn't you be studying or something?” she demanded with obviously pretended sternness.

“We just came by to say 'hi,’” added another. “Say, it smells good in here. And it's empty, too. How much stuff do you have left over?”

Celia instantly grew more nervous. This was not the first time her friends had come around looking for a free handout. She glanced quickly behind her, but all the other workers were in back, apparently out of earshot. “Shhh!” she whispered. “Do you want to get me in trouble?”

“Of course not! But we have a major case of munchies, and thought we'd visit to take some excess food off your hands. You let us have some once before!”

Celia continued to look about. “That was one time, when we had a lot of miscooked orders. That food was going in the garbage anyway. We usually don't make so many mistakes. There's no extra tonight.”

“Oh, come on, Celia . . . we still have the munchies. Can’t you come up with at least a few breadsticks or something? Who’ll know? And remember when Aida here picked you up last week on a moment’s notice when your car ran out of gas? She sure saved your butt! Don’t you think you can show a little appreciation?”

Celia hesitated, and glanced around again. Her lips tightened for a moment. Then she whispered, “OK, just some breadsticks. But get them outta here fast. I don’t want to get caught.”

It was all over in fifteen seconds, while Celia’s friends high-fived each other with muffled giggles. The bag of food changed hands, and in a flash the restaurant was quiet and empty again. Celia breathed a sigh of relief.

The sigh wedged awkwardly in her throat, though, when Todd Cuibono suddenly materialized from the back work area. He eyed her carefully. A pregnant pause ensued, and Celia flushed ever so slightly. He launched a casual but calculated gambit: “I thought I heard some customers.”

Celia tried mightily to hide her nerves. She leaned casually against the serving counter and nodded toward the restaurant entrance. “Yeah, a few friends from my dorm stopped by. A real bunch of clowns!”

Another pause followed. “Did they buy anything?” he ventured.

“Not much . . . just a few breadsticks,” she responded, glancing at the now-empty bin she had taken them from.

Yet another pause. “Really?” Todd’s tone grew perceptibly accusatory. “I don’t remember hearing the beeps of the cash register.”

Celia flushed further and looked down. “Well, my friends were loud, and sound doesn’t always carry in the back. Maybe you just missed it.” Their eyes met after yet another pause. Todd looked at the cash register, then back at her. He stroked his chin studiously, still gazing at her. Her face now registered fear. They both knew she’d been snared.

After a seemingly endless pause, Todd’s face hardened. “Hmm . . .,” he grunted. “You know, I’ve told you before, it’s my job to see that things run smoothly around here,” he continued gravely. “I suggest you keep your ‘clown’ friends out of here and get back to work.” He turned away abruptly and left Celia standing alone at the counter while he pondered what to do.

- ◆ Was it right for Celia to give the breadsticks to her friends? Why or why not?
- ◆ If not, what should she have done? Why?
- ◆ Was it right for Celia to lie to Todd? Why or why not?
- ◆ If not, what should she have done? Why?
- ◆ Should Todd pursue the matter further with his own boss?

This example actually involves two separate choices: Celia's decision whether to give the breadsticks to her friends and her decision whether to lie to Todd. Let's examine each of these in turn.

1. Celia's Decision Whether to Give the Breadsticks

Figure 6.1 diagrams the events that flow from two possible choices: giving the breadsticks to her friends or withholding them. Both "event trees" take fairly simple forms.⁴ Notice that for simplicity the event trees for these opposite decisions do not include exactly opposite consequences. We omit those that would happen anyway even if this situation had never occurred—Pandarus not losing profit, for example, or Celia not settling her score with Aida. However, disappointing Celia's friends should appear under withholding the breadsticks because if the friends had not entered the restaurant, they would have become neither happy nor disappointed.

If Celia gives the breadsticks, she settles a debt of sorts with Aida. Celia makes her friends happy and may even strengthen her friendship with them. However, Pandarus Pizza loses a few dollars of profit, and Celia breaks a strict company rule. Let's consider the goodness of each consequence first. In general, it's good to settle debts in accord with fairness. It's also usually in the best interests of people to make them happy, again in accord with fairness. Whether strengthening Celia's relations with her friends is good or bad depends on what kind of people they are. Since we know little about the visiting women, however, common experience suggests that stronger friendships work to everyone's best interests. On the other hand, losing profit is not in the best interest of a business. Moreover, company regulations normally seek both equity toward employees and the best interest of the organization. Since the company rule against

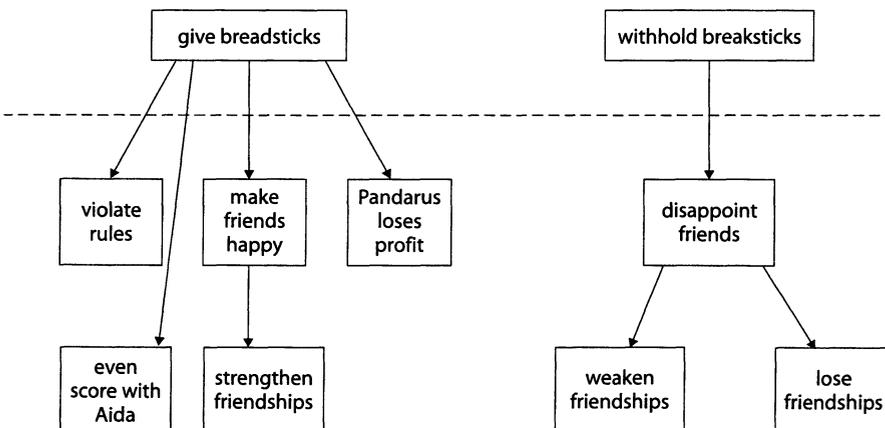


FIGURE 6.1 Event trees for Celia's decision to give breadsticks to her friends

giving away food does not seem unjust, breaking that rule offends against fairness.

Let's consider importance next. Some consequences seem to have at best low or moderate importance. The debt to Aida is not formal; the increased happiness of Celia's friends is neither large nor lasting; and Pandarus loses only a few dollars. On the other hand, the strictness of the rules suggests great importance.

Finally, let's consider likelihood. All of these consequences, except possibly strengthening the friendships, seem quite probable.

We can now evaluate Eq. 6.1 for this option by listing each consequence together with the most relevant virtue. Below each consequence we can show the goodness, importance, and likelihood. A convenient way for arranging these items appears below:

even score (fairness)	make friends happy (fairness)	strengthen friendships (fairness)
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Net goodness = (good)(low)(very high) + (good)(low)(very high) + (good)(moderate)(moderate)

Pandarus loses profit (fairness)	violate rules (fairness)
+ (bad)(low)(very high) + (bad)(high)(very high)	

Crudely speaking, the first and fourth terms cancel, leaving the second, third, and fifth. The second and third are good and have roughly the same weight, since the higher importance of the third term is compensated by its lower probability. The fifth term is bad with heavy weight, however. So the sum comes out not far from a net zero.

If Celia withholds the breadsticks, she disappoints her friends and might weaken her friendship with them or even lose them as friends. Disappointing friends usually offends against fairness, as does weakening or losing friendships (assuming that the friends are worth having). We can therefore rate all these consequences as bad. However, there is no evidence that Celia is terribly close to these friends, so the importance of temporary disappointment and weakening the friendships remains low. The importance of losing them completely might be a bit higher, but the chance of it happening seems lower.

Thus, for not giving away breadsticks, Eq. 6.1 takes the form:

disappoint friends (fairness)	weaken friendships (fairness)	lose friendships (fairness)
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exterior goodness = (bad)(low)(very high) + (bad)(low)(moderate) + (bad)(moderate)(low)

This time all three terms are bad. Crudely speaking, the sum seems to come out modestly bad.

Thus from a purely exterior perspective, it seems better for Celia to hand over the breadsticks. More generally, it's not surprising that small-scale looting from employers occurs commonly. *However, our ethical analysis is not complete; we have completely ignored intention.* A final ethical judgment requires us to include intention, which we will do in the next chapter.

2. Celia's Decision Whether to Lie to Todd

Figure 6.2 shows event trees for two possible options: to tell the truth or to lie. If Celia tells the truth, Todd could tell his boss, who in turn could at least cause trouble for Celia or even fire her. Firing would discourage other employees from giving away food, and Celia could have trouble paying her bills if she cannot rapidly replace the lost income.

We will not explain every detail of the event tree point by point, and reasonable people might disagree about some of the entries. However, as the trees are drawn, Eq. 6.1 takes the form:

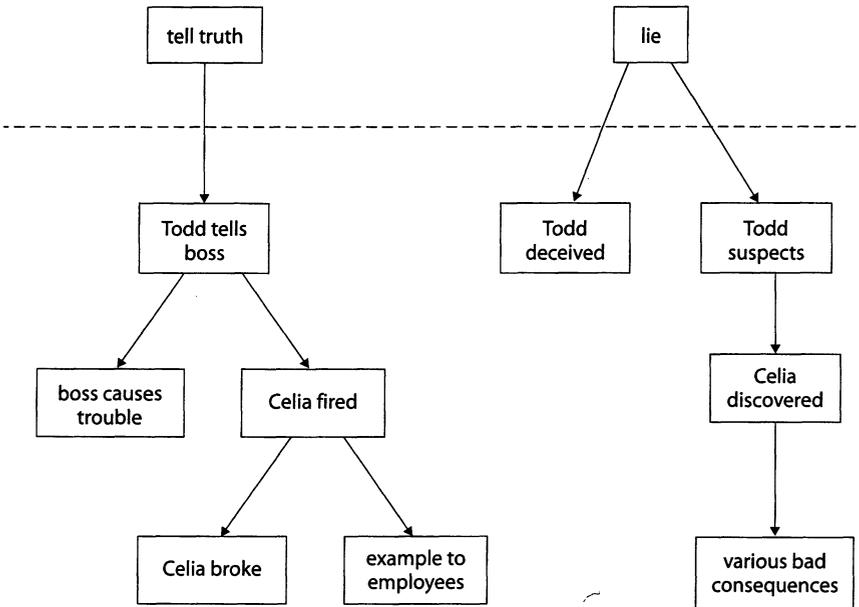


FIGURE 6.2 Event trees for Celia's decision to lie to Todd

Todd tells boss (?)	boss causes trouble (fairness)	Celia fired (fairness)	Celia broke (fairness)
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$$\text{Net goodness} = (?)\text{(zero)}\text{(very high)} + \text{(bad)}\text{(moderate)}\text{(high)} + \text{(bad)}\text{(high)}\text{(low)} + \text{(bad)}\text{(high)}\text{(low)}$$

example to employees
(truth, fairness)

$$+ \text{(good)}\text{(moderate)}\text{(low)}$$

By itself, Todd's telling his boss has no real importance as evidenced by the question marks for that entry. It's the boss's possible anger that really matters. The entries shown above rate the anger together with Celia's possible firing and financial problems as bad for Celia. This evaluation can be debated, since Celia might be inspired to change her ways (a good thing). Celia's firing would probably discourage fellow employees from giving away food, but the discouragement is cumulatively unlikely because Celia's firing is unlikely. In the final summation, the first term drops out, and the last term only slightly balances the remaining three. The sum is therefore modestly bad.

If Celia lies and is only suspected by Todd, little else happens. The story hints that Todd already dislikes Celia, so his relationship with her will probably not change much. Hence, no other consequences show up in the event tree. However, if her lie is discovered, several other things could happen. If Todd tells his boss, then many bad things happen. Equation 6.1 thus takes the following form if Celia chooses to lie:

Todd deceived (truth)	Todd suspects (truth)	Celia discovered (?)
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$$\text{Net goodness} = (?)\text{(zero)}\text{(moderate)} + \text{(bad)}\text{(very low)}\text{(high)} + (?)\text{(zero)}\text{(very low)}$$

several mostly bad consequences
of very low probability

$$+ \text{(bad)}\text{(low to high)}\text{(very low)}$$

Again, question marks appear where a consequence has no real moral importance. The overall expression sums to slightly bad.

Once again, from a purely exterior perspective, it seems better for Celia to lie. More generally, it's not surprising that lying is common. *However, once again our ethical analysis is not complete; we have completely ignored intention.* A final ethical judgment requires us to include intention, as we will do in the next chapter.

A REAL-LIFE CASE: Chemical Disaster at Bhopal

For nearly two hours on the morning of December 3, 1984, 40 tons of methyl isocyanate (MIC) poured from a storage tank at a Union Carbide pesticide plant in Bhopal, India. Plant workers were unaware of the problem until their eyes began to burn. Even then, no one tried to correct the problem or inform those who lived in the densely populated area surrounding the plant. A huge, lethal cloud of MIC drifted over Bhopal. By the time the episode had ended, over 3500 people died and tens of thousands more were injured. Immediately Union Carbide claimed "full moral responsibility" and gave out twenty million dollars in disaster aid. Shortly thereafter, however, the Indian government sued for three billion dollars, and a massive legal tangle followed that delayed any more payments. In 1989, Union Carbide and the Indian government tentatively settled for \$470 million. However, India then sued for more, creating another legal snarl that remains incompletely resolved to this day. It took until 1993, almost ten years after the accident, for even small amounts of settlement money to begin trickling to the victims.

The period before the disaster saw conditions at the Carbide plant that had all the prerequisites for a serious accident. The plant was located in a densely populated area, but no evacuation plan had ever been devised. In fact, many key local officials did not know of the dangers posed by the plant. Those who did know and protested were overruled by the state government, reportedly to protect the highly paying jobs provided by the plant, especially for former government officials. Government-sponsored safety inspections were lax. Union Carbide itself did not oversee the plant carefully, partly because Carbide owned only 51 percent. The other 49 percent was owned by Union Carbide India Limited and the Indian public. The plant was originally staffed by a sizable fraction of highly trained workers from the United States. However, financial pressures on Union Carbide as well as the desire of the Indian workers for more control resulted in the withdrawal of the U.S. workers, leaving poorly trained local management in charge. Production and maintenance personnel failed to communicate; safety meetings dropped off; and staffing was reduced below safe levels. By the time of the accident, numerous valves and pressure gauges were leaky or broken. Key refrigeration and scrubbing units were either under repair or simply switched off.

During the litigation following the accident, Union Carbide claimed that an angry employee had let water into the tank as an act of sabotage. While such a scenario is possible, Carbide never convincingly proved its case. Leaky valves could also have caused the problems. In any case, the technical and organizational problems of the plant made it vulnerable to any unforeseen occurrence.

- ◆ What examples can you give from your own experience of “accidents waiting to happen”?
- ◆ Which deficiencies in the Carbide plant offered the greatest likelihood for trouble of some kind?
- ◆ Which deficiencies offered the most potential for catastrophic (as opposed to minor) consequences?

References

- Kurzman, Dan. *A Killing Wind: Inside Union Carbide and the Bhopal Catastrophe*. New York: McGraw-Hill, 1987.
- Shrivastava, Paul. *Bhopal: Anatomy of a Crisis*. Cambridge: Ballinger, 1987.



“For what is liberty than the unhampered translation of will into act.”

DANTE ALIGHIERI (1265–1321) *LETTERS*, 6, 1311

Notes

1. See Chapter 14 for a further discussion of risk-benefit analysis.
2. Some readers familiar with philosophical ethics may view Eq. 6.1 as closer to utilitarianism than to virtue theory. In fact, the approach described in this book attempts to reconcile the two methods. Utilitarianism employs the principle of utility: that actions should be chosen that lead to consequences having the greatest total balance of benefits over harms for all concerned. There are several ways to calculate this balance: by acts and by rules, for example. However, benefits and harms are often evaluated according to some largely *nonmoral* standard like human pleasure. Furthermore, only the total sum matters, not the individual terms in the summation. Thus, in principle even very unfair actions can be tolerated as long as the total sum of benefits over harms remains large. For example, a small minority could be ruthlessly enslaved for the benefit of a large majority.

Equation 6.1 also balances the results of consequences, thereby imitating the very methodical approach of utilitarianism. However, Eq. 6.1 deviates from utilitarianism in one crucial way: by evaluating benefits and harms explicitly according to the *moral* standards of the virtues. The goodness of each consequence is determined entirely by how it squares with the virtues. For example, unfair distribution benefits or harms would show up explicitly as a significant negative consequence.

The approach of this book differs greatly from utilitarianism in yet another way that will become more obvious in the next chapter. In contrast to virtue theory, standard utilitarianism largely ignores interior morality and character formation. Chapter 7 explicitly treats these issues as a key element in judging the goodness of moral decisions, but again attempts to imitate the clarity and precision of utilitarianism by discussing character formation in terms of the interior consequences of moral decisions.

Finally, Eq. 6.1 moves beyond classical virtue theory (and to a lesser extent classical forms of utilitarianism) by including the idea of likelihood explicitly and systematically.

3. Although we are employing the word “probability,” in fact there is a subtle problem with this. Probability presupposes a large number of identical events on which one can perform statistical analysis. No such large number exists for most of the events we are considering. The people, places, times, and circumstances vary from case to case in ways that usually make rigorous statistical analysis difficult, if not impossible.
4. Event trees have been introduced formally in Chapter 3. However, the example shown here should be sufficient to show how they work if you have not read that chapter.

Problems

1. Write a paragraph or two describing an ethical dilemma you have encountered in a job you’ve had. (If you’ve been lucky enough never to have been confronted with a problem like this, describe one that a friend or relative of yours has had.) Analyze the case as follows:
 - a. List the options/suboptions available to the person who had to make a decision, together with the event tree flowing from each option. Indicate your estimate of the probability for each consequence on the tree (high, moderate, low).
 - b. Write down an expression for exterior goodness according to Eq. 6.1 as shown in the text example.
 - c. Recommend what you think the person should have done. Note: you don’t have to say what was actually done in real life (unless you want to)!
2. Each case below has a question after it.
 - a. List the options/suboptions available to the main character who has to make a decision, together with the event tree flowing from each option. Indicate your estimate of the probability for each consequence on the tree (high, moderate, low).
 - b. Write down an expression for exterior goodness according to Eq. 6.1 as shown in the text example.
 - c. Recommend what you think the character should do.

CASE 6.1 Whistleblowing on Safety Violations

“Todd, did you see what Kelly just did?” whispered Celia hoarsely in the corner of the kitchen at Pandarus Pizza.

Todd looked up from the pile of orders he was reviewing. “No, what?”

“She spilled a whole bag of Italian sausages all over the floor, and then just picked them up and put them back in the bag! The chef is putting them on pizzas now!”

Todd raised his eyebrows. "Are you sure?"

"Yes, yes!" Celia blurted out loud. She could hardly contain herself. Then she dropped her voice again. "Didn't you hear the thud when they fell?"

"Oh yeah, so that's what it was. . . . Does Thorne know?"

"That's the worst part! He saw the whole thing and said nothing! And he's the manager! This has got to be, like, massively illegal!"

"Relax, Celia. Don't get so excited. Did you ask Thorne about it? Maybe there's something you don't know."

"What's not to know? You're as bad as he is!" she sputtered.

"No, I'm concerned too. We just need to be sure we have facts. Why don't you talk to him? I'll wait here and listen."

Celia whirled around and tramped right up to Thorne, her fists clenched and her eyes flashing. "How can you take those filthy sausages and put them on people's pizzas?" she shrieked.

Thorne bolted upright and recoiled slightly. "I didn't put anything on anyone's pizza," he contended. "I'm not even cooking!"

"But you saw them fall on the floor, and then let the chef put them on!" she persisted. "You're the manager! You're responsible!"

Thorne glanced around quickly. Work had halted, and everyone was staring at him. His face reddened. "Look, I don't know what you're talking about," he snapped. "How do you know whether I saw something fall or not?"

Celia turned purple with rage. "Oh, so you're going to lie on top, huh?" she shot back. "I can't believe this! It's not the first time, either! I've seen you! Workers come out of the bathroom without washing their hands! You see it and say nothing! Last week you told the chef to use Canadian bacon that was way past expiration! It's a wonder people don't fall over dead after eating here! And it's all your fault!" Celia's eyes suddenly began to well up with tears, and she fled to the bathroom.

Silence followed. After a few seconds, Thorne looked around and laughed weakly. "She's a lunatic, you know." Then more forcefully, "OK, everyone back to work!"

Ten minutes later, Celia emerged from the bathroom more composed. Todd spied her and quickly sought her out. "Are you OK?" he ventured. She nodded. "That wasn't what I had in mind when I suggested you talk to him," he continued.

"But he's such a jerk! I just can't stand him. He does stuff like this all the time. A while back he wanted me to make pizzas faster by undercooking them. I was going to tell the owner, but Thorne threatened to fire me if I did. I didn't want to go looking for another job right then, so I stayed quiet." Celia paused for a moment, and smiled maliciously. "But at least I got away with not undercooking them that

night . . . he got distracted by some angry customers.” Celia paused again, then continued, “And do you know what else he does? He takes bribes. I saw it happen. A window painter gave him some football tickets in return for Pandarus business. I’m tired of his getting away with all this. This time I’m going to report him, if not to the owner, then to the health inspectors.”

“That might not be the best way,” Todd cautioned.

“I don’t think you care about the law, either!” she chided harshly.

“I’m only thinking in the long term, Celia.” His voice dropped. “I don’t like Thorne, either. I want to see him out. You and I can work together. We need hard evidence for the inspectors, and he can simply deny seeing anything. The owner might not force him out, and then Thorne’ll still be kingpin. But he knows we’re onto him. His position is weak. He can be persuaded to give up some of his power, so that someone else can stop the abuses.”

“Give up power? To whom?” Celia asked suspiciously. “To you? Maybe you’re trying to maneuver for his job!”

“I’m not thinking about myself. I’m just. . . .”

“*That* would be a first!” Celia broke in derisively.

“I’m not thinking about myself.” Todd repeated tensely. “I’m just trying to find a better approach than screaming my head off like you did.”

“I still think he should be reported, regardless. He’s breaking the law.”

◆ What should Celia and Todd do?

CASE 6.2 Hiding Convictions on Job Applications

“Mmm, the lasagna smells great!” exclaimed Martin Diesirae to his girlfriend Myra Weltschmerz. “You work miracles with my apartment’s oven! Do you cast a spell on it?”

Myra grinned broadly and basked in the compliment. “I made your favorite recipe,” she responded.

“Well, it won’t last long, ‘cause I’m starved. All the extra work at Tripos builds an appetite.”

“How’s that going?”

“Monica, the owner, and Chase, the sales manager, are still in the hospital from the car crash. It looks like they’ll be in for a while, yet. At least the cops found the bozo who hit them. He was intoxicated and drove away from the scene. But some friend of his found out and turned him in.”

“But Monica and Chase are like the brains of the company!”

“Yeah. There are a few chemists who do product development

and quality control. But the ones we have happen to be short on business and management skills. They're just too nerdy. So we're muddling through as best we can. I talked to Monica on the phone yesterday for a few minutes. She sounded really bad. But she said Emily Laborvincet, a part-time student from Penseroso, should take over all accounting and the computer work I did. She wants me to take over Chase's job, and serve as general-purpose troubleshooter."

Myra put the steaming lasagna on the table between them. "That's a lot of responsibility," she said. "I've been working hard, too. I had two job interviews today, and I sent out a bunch more resumes." She sighed and added wistfully, "but I don't have any plant trips yet."

"Any decent leads at all?" Martin inquired sympathetically.

"Well, maybe one. I got a job application today from a company that seemed interested in me on the phone."

"Good! Send it back quick!"

Myra sighed again. "I would, but there's a problem I don't know how to handle. The application wants a listing of all prior criminal convictions. I want to leave it blank, but I feel guilty."

"Why?"

"Well, I got caught shoplifting once in high school. It was really a stupid thing. My life was still a mess after the divorce, and I was running around with a bad crowd. One of my friends persuaded me to help her lift a sweater from a department store. But we got caught, and we both got a misdemeanor conviction. It was just my luck. The only time I ever stole anything, and I got caught."

"So, what's the big deal? It was high school."

"But I was a senior, 18 years old. I wasn't a juvenile any more. The conviction is on my record forever. Worse yet, we both had a marijuana joint on us. I think I smoked the stuff a total of six times, ever! But we had it right then, so I got hit for possession."

"Ooooh, companies really hate the drug stuff," Martin observed.

"So, I don't see any point in telling them," Myra replied. "Most of them are out of state, and won't check anyway. I did one stupid thing that I'll never do again, because my life was messed up and I hung with the wrong crowd. That's all over now."

"But the companies have a right to honest answers on the application," Martin observed. "They want the right to make the final judgment about who's suitable and who isn't. . . ."

"Martin, you're so picky," Myra broke in. "You know our society, with all those TV shows about cops and criminals. A lot of people are paranoid about crime. You say 'conviction' and they think of a drug-dealing, child-abusing murderer. Some companies have that attitude too. They get wind of even an arrest, and your application is

history, no matter how silly the reason. They just don't want to take a chance. And they don't have to in this tight job market."

Martin raised his eyebrows. "The company could fire you if they catch the lie after they hire you."

"I know. Don't get me wrong, Martin. I haven't decided what to do yet. It's a tough problem."

◆ What should Myra do?

CASE 6.3 Using Old Exam Questions

Terence Nonliquet sniffed the crisp night air as he emerged from the theater with his girlfriend Leah Nonlibet. The weather forecasters had predicted the season's first frost for tonight. The brightly twinkling stars in a clear black sky seemed to whisper the same thing. Terence squeezed Leah's hand as he looked up. She smiled and looked heavenward as well. Terence was quick to see the beauty of a vast sky, and she admired that trait in him.

"The sky is gorgeous tonight," she purred. "I'm glad we can share it together."

He remained staring up for another few seconds, then glanced at her and grinned. "And I'm glad we were able to come to some agreement on our time together," he observed. "Regularly scheduled dates don't seem very exciting, but they're like vitamin pills. They keep things healthy when taken without missing." Leah felt her stomach tense a little at the thought of their old argument, but she ignored it.

The two walked slowly to Terence's car. Suddenly a shout pierced the air: "Hey Terence!" Startled, Terence and Leah looked up to see three students rambling down the street in the opposite direction. Terence squinted to see who it was. Then he recognized Arlen, a student in his Comp Sci 109 quiz section. "Hey Terence, looks like you'll be keeping warm tonight!" one of the students snickered as they passed by. The three dissolved into uncontrollable giggling.

Terence rolled his eyes. "Just some of the students I teach in my Friday quiz section," he said to Leah. "They're good guys. Just a little silly tonight, I guess."

"It's OK," Leah offered reassuringly. "It must go with the territory."

"Actually, that class is giving me a headache again. And it's not the students so much as the lecturer."

"Professor Bligh?"

"Yeah. He's giving an exam again next week. You remember how he didn't change the first exam from what he gave years before? Now we'll see what he does this time."

Leah frowned. "Isn't this the guy who lied to you—that he changes the details of the exams from year to year?"

“Yeah. But for the first exam I’m sure he didn’t. I overheard some of my students say so, normally weak students who really aced it. They had access to fraternity files or something. Strangely enough, though, those students dropped the class. I don’t know why.”

“So, maybe there won’t be a problem this time, even if the exam matches other years,” Leah suggested.

“I don’t know. It’s possible Bligh might be more careful this time, since I said something to him. But it’s also possible that other students have gotten their hands on old files.”

“You were going to complain to the department head, Professor Peccavi, last time,” responded Leah. “But you never told me what you really did. What happened?”

“Well, I guess not much.”

“You mean Professor Peccavi didn’t help you?”

“No, I never saw him. I couldn’t decide what to do. Finally, I decided to go to him, but by the time I called his secretary for an appointment, he had gone out of town for ten days. She said he was booked up for a few days after that. Now it’s been so long that it seems silly to file a complaint.”

Leah glanced up with reproach. “Terence, you made a decision by not deciding. Sometimes you think about things way too much.”

“Leah, it was a hard problem! Peccavi is a busy guy, and bringing him in would have raised the stakes with Bligh a lot. I didn’t want my boss mad at me if I could help it.”

Leah shook her head in disgust. “I don’t think you did the right thing. Anyway, now you’re not as new at the job as you were then. He just blew you off last time when you talked to him, so he’s not going to do anything different this time. Terence, I’ve heard you talk like this before. You know deep down you have to really do something if he’s going to change. You have to decide.” She paused. Then she murmured, “and it makes me nervous when you can’t decide.”

Terence looked at her incredulously. “Why? This doesn’t involve you!” He paused, and added, “You get nervous even when I do decide! Remember that Zipdraw graphics program I bought using the course account? The one I used in class for a week and then on my own personal reports? You wanted me to clear that with Bligh. When I decided not to, you went into a tizzy.”

Leah answered slowly. “Terence, I’m not sure you really decided. You just didn’t say anything—maybe out of inertia. As far as I’m concerned, that kind of stuff shows you don’t know what you want. Sometimes, especially with important things in life, you have to *know* what you want.”

Terence decided to let the subject drop.

◆ What should Terence do?

CASE 6.4 Personal Phone Calls on Company Time

"I was able to visit Monica in the hospital yesterday," remarked Emily Laborvinct to Martin Diesirae as they worked in the computer office at Tripos Metal Polish, Inc.

"Oh? How is she?"

"Still a long way from recovery. She's out of intensive care, and the pneumonia is gone, but the car wreck broke a lot of bones. She'll be in traction for a while."

"It would really help to have her back," Martin remarked wistfully. "This company needs an owner who's actually available. Can't she at least call on the telephone to help out?"

"I don't think so. She looked exhausted. She could only tolerate a ten-minute visit. Her mind is not really with-it yet. Sometimes I didn't understand what she was talking about. Once, out of the clear blue, she said it was time for me to go on a journey. Just like that. When I asked where, she just smiled."

Martin sat silently for a moment. "Sheeze, Emily, look at us! We're not ready to run a company!" he burst out suddenly. He jumped up from his seat and began to pace around. "I mean, I'm just an undergraduate, only a senior. And you! You're a sophomore! We're both only part time, still taking classes. Then suddenly the owner and head of sales get hit by a car, and the company is rudderless." He glared out the door into the rest of the building. "Our technical people don't have a clue how to work with customers, and their eyes glaze over when you talk to them about accounting. Our production managers are the same way. So *we* get stuck."

Emily nodded sympathetically. "But you're a good student. You've won some awards—you told me. You're smart and have lots of energy. And you work hard. You'll be in the work world soon anyway. Why not start now?"

Martin play-acted banging his head against the door. "Because it's too much pressure. I'm interviewing for a job in a tight market. It'll be hard to find one where my girlfriend Myra can get a job too. And she's been a royal pain lately for some reason. And my mother's health has taken a turn for the worse. I have to take care of her a lot of weekends because my dad's out of town on business. He leaves on Fridays, which means that sometimes I have to leave here early those days. And it's a two-hour drive to where they live in Pallortown."

Emily furrowed her brow. "Pallortown? Your parents live there? You don't call there from here, do you?"

Martin straightened up. "Yeah," he said defensively. "Here and there when I need to."

"Martin, I'm in charge of the phone records. It's more than here and

there. It probably runs to over an hour a week. Actually, I couldn't figure out what customer we had there. I was going to ask you about it, since you handle customer relations. You know as well as I do that it's against company policy to make long-distance calls on our phones. It costs money, plus there's the lost work time." Martin clenched his fists involuntarily and drew himself up to his full height. Emily now sensed that Martin would not react well to such direct criticism. She had crossed swords with him several weeks before over the arrangement of files on the computer she used for accounting. In the face of an angry outburst, she had backed down. So now Emily broke in to prevent another such outburst. "But I can understand that we might need exceptions, especially in the trying situation right now."

Mollified, Martin relaxed a little. "The situation at home is really bad," he confided. "I worry about it a lot. I work much better when I know things are in order there." He started kicking the door listlessly, face taut with worry.

Emily grew concerned. "Are you OK?"

Martin stopped the kicking and forced a smile. "Yeah, I'm fine. I'm going down to talk with Floyd." He turned and left.

◆ What should Emily do about the phone calls?