

# John B. Dilworth's Commentary on "Using Company Resources"

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Using Company Resources

This is an interesting case because it brings out the almost hypnotic (and, I shall argue, in this case myopically misdirected) power of some moral concerns about lying. Conventional wisdom assumes that there is something morally problematic about Michael's decision to lie when confronted by Al House.

But such a view fails to look at the full moral context of cases such as the present one. This is a case where illegal activity by a person (Al House) has been discovered. Knowing that he has been discovered, the criminal perpetrator is clearly in a malicious, destructive frame of mind, and is determined to 'get' whoever 'ratted' on him. This is the moral framework in terms of which Michael's decision to lie must be judged. Hence the real moral issues here are those concerning malicious questioning, rather than any concerning false answering.

Any other view of the matter amounts to a form of the familiar 'blame the victim' syndrome. (For example, in many cases of wife-beating and rape the woman ends up getting blamed as much, or even more so, than the male criminal.) Criminals rip apart the fabric of civilized life, directly or indirectly harming and twisting the actions of everyone involved.

It is all too easy to artificially abstract elements from such a situation and draw up a kind of 'laundry list' of morally problematic actions, which makes it look as if the victims of the situation (including those who give evidence to the proper authorities, or have to handle confrontations with the criminal) bear some kind of moral guilt comparable to that of the perpetrator(s). We must resist this temptation to indulge in abstract theorizing, disconnected from the realities of actual situations.

This is not to say that victimized people are free to do anything whatsoever to cope with their traumatic situations. But it is to say that their actions must be judged in the specific context of the real and potential actions of the criminal(s) involved.

In the present case, there are two aspects of Al's malicious questioning which are relevant to deciding that it is perfectly legitimate in this case for Michael to lie to Al. First, Al has no right to know who reported him. As a general matter of business policy, those reporting problems or abuses are entitled to confidentiality, and they should especially be protected from those who caused the abuses. Hence Michael is under no obligation whatsoever to tell Al that it was he, Michael, who reported Al.

It might be thought then that Michael should simply refuse to tell Al whether he, Michael, had reported Al or not. But in this special case, a refusal to supply information would itself amount to a giving of the same information. This is for the obvious reason that Al would instantly guess why Michael was refusing to directly admit or deny that he was the informant, namely because he really was the informant!

Thus in this special case, lying is justified as the only effective method for withholding information, which information one has every right to withhold.

So far we have made no use of the fact that Al's questioning is done with malice in mind. This provides us with a second, independent line of defense of lying as a defensive strategy against malicious questioning. Even those who generally criticize lying as wrong in principle are likely to admit some cases when it is justified, such as for instance to protect innocent life. In the case of a murderer demanding that you tell him the whereabouts of his next victim, lying may even be morally obligatory. But if we concede this, then should we not also concede a group of related cases, in which other kinds of malicious questioning are involved, including the present case? If someone clearly intends to cause some harm to someone, if told the truth, is it not at least morally permissible (even if not obligatory) to lie to prevent the harm from occurring?

Here again it is tempting to treat the lying in abstraction from the actual situation, such as in a claim that Michael's lying is morally problematic because he has self-interested reasons for doing it. But in the context of malicious questioning, all that matters is whether someone is likely to get hurt in some way unless one lies. Surely we have a moral duty to prevent harm to innocent people, even if it is we ourselves who are those innocent people. So in a case such as this it is simply irrelevant whether the lying also serves self-interest.

Finally, a few words on the amount and severity of the harm that someone might be subjected to, who did not lie in the given situation. It is easy to assume that only

embarrassment and 'bad feeling' would result from telling the truth. But the harsh truth is that in the real world, anyone caught doing something illegal or seriously compromising is liable to behave in vicious, unpredictable ways towards their accusers. Long-term revenge plots are a fact of life in our culture also. Hence victims are fully justified in misleading such criminals as necessary.