

'Just Say When'

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Recall that in the "Just Say When" case featured earlier this week, the main character, Simon, is concerned about the quality and safety of the engineering work performed by his boss and friend, Marcus.

This case confronts us with two challenging questions: What is the right thing to do, and what is the right way to do it? To some, the answer to the first question might seem obvious - Simon should bring his concerns about Marcus' work and the safety of the bridge project to the appropriate authorities. A closer look at this case, however, will reveal that it is more complex than it initially appears. Briefly examining some of this complexity will help illustrate the broader point that ethical issues can often be subtle and multi-faceted, and that ethical solutions often can be difficult to determine and demanding to implement. We do not have the luxury of ignoring this complexity if we truly are interested in "doing the right thing."

It is important to note that Marcus has not violated any laws governing the practice of engineering. This fact is significant for two reasons. First, it constrains Simon's choices about how to address his concerns. Second, it highlights the difference between ethics and legal compliance. It is not the case that doing the right thing ends with following the law; sometimes our moral obligations extend beyond what is legally required of us. Simon's concerns rightly persist, despite the fact that no laws have been broken.

Simon recognizes that anyone, like engineers, in a position to cause harm to the public is expected to hold paramount the safety of those affected by a project. How exactly does this obligation apply to this case? There is not an obvious threat to the public, only Simon's concerns about Marcus' work on the bridge project. Moreover, ensuring absolute safety on a project is nearly impossible. Engineers must make choices about which risks are acceptable. Does the possibility of a design error in this case represent an acceptable risk?

Simon could bring his concerns to an agency outside of his firm. Such a decision would be one type of whistle-blowing and should be approached carefully. Deciding when to expose a company's wrongdoing involves a number of considerations. Would-be-whistle-blowers should consider whether any laws have been broken, whether the threat to the public is likely versus possible and whether the potential harm is severe enough. A bridge with serious faults certainly presents a real threat to the public. However, this does not completely capture what is going on in this case.

Simon also has his obligations to his employer to consider. Should he try to first resolve the situation internally? Given the absence of any obvious wrongdoing, does he have any other choice? We might even consider whether friendship imposes its own obligations. Sometimes our personal life rightly impinges upon our professional life and vice versa.

Hopefully it should be clear that Simon must not only make the right choice, but he needs to implement this choice in the right sort of way.

Minimally, Simon should address his concerns to Marcus more forcefully. Simon could suggest strongly that Marcus work with another engineer on the most complicated aspects of the bridge design and that he submit all of his calculations for review. Such an approach avoids the danger of unjustified whistle-blowing without ignoring the problem. Even this moderate solution might lead to a strained relationship between Marcus and Simon. Doubtless, Simon will find it difficult to make a decision that will cause stress and pain to his friend during an already difficult time. In addition to all of the other complexity above, "doing the right thing" also can be unavoidably demanding at times.

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