

## *The Costs of Tragedy: Cost-Benefit Analysis and Theories of Justice* Ethicist Martha Nussbaum Speaks at CWRU

It is not uncommon for many of those who are involved with ethics in some way to proclaim that Martha Nussbaum has changed the way that many people think about the subject. Lucky for those people at CWRU, she was the final speaker at the 2000 Baker-Nord Center for the Humanities traditional “Humanities Week,” on September 20.

The Baker Nord-Center facilitates and encourages collaborative work among faculty and students in the humanities and performing arts (Art History, Classics, English, History, Modern Languages, Music, Philosophy, Religion, Theater and Dance) with colleagues in the sciences and social sciences, and through joint programs with other University Circle institutions. It sponsors conferences, seminars, lectures, research and special events that enhance the presence and visibility of the humanities at CWRU. The Baker-Nord Center for the Humanities was funded in 1996 by an endowment gift from Eric and Jane Nord. It is directed by Dr. Tom Bishop, Associate Professor of English. Dr. Catherine Scallen, Associate Professor of Art History, serves as Associate Director.

Ms. Nussbaum’s speech, “The Costs of Tragedy: Cost-Benefit Analysis and Theories of Justice” was presented in the 1912 Room in Thwing Center on CWRU’s campus.

“It’s a pleasure to be here, especially during Humanities Week,” she said. “Recently, I have been trying to explain to law, public policy and development people why the humanities are important to what they do,” Nussbaum began. Her talk grew

out of a project she had been doing about cost benefit analysis. “Cost-benefit analysis is a technique that effects all of our lives, all of the time. It is important to see what might be the short comings of cost-benefit analysis, and how we can see those short comings by thinking about stories from ancient tragedies.”

As her first example, she used the ancient epic poem from India titled *The Mahabharata*. “Arjuna stands at the head of his troops. A huge battle is about to begin. On his side are the Pandavas, the royal family headed by Arjuna’s eldest brother and legitimate heir to the throne. On the other side are his cousins, who have usurped power,” she explained. “More or less everyone has joined one side or the other. Arjuna sees that many on the enemy’s side are blameless people for whom he has great affection. In the ensuing battle, he will have to kill as many of them as possible. How can it be right to embark on a course that will bring death to so many relations and friends? How, on the other hand, could it possibly be right to abandon one’s own side and one’s family in doing that?”

Here, she quoted the poem directly:

“Arjuna saw his closest kinsman related to him as father or grandfather, uncle or brother, son or grandson, as well as companion and friend, on both sides. Overcome by this sight he said in sorrow and compassion. ‘Oh Krishna, when I see my own people ready to fight and eager for battle my limbs shudder and my mouth is dry my body shivers, my hair stands on end. Further-

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more, I see evil portents, and I can see no good in killing my own kinsman. It is not right and proper that we not kill our own kin and kinsman. How can we be happy if we slay our own people? Oh Krishna, how can I strike with my arrows people who are worthy of my respect?" Having said these words Arjuna threw away his bow and arrows and sat down sorrowfully..."

Inherent in Arjuna's distress are two questions. "The first question I am calling the obvious question and it is, 'What he ought to do?' That question may be very difficult to answer and, as well, it may be difficult to identify the best method of arriving at the answer," she explained. "What is not difficult, however, is to see it is a question that has to be answered since some action must be taken. In such a situation, even inaction is a kind of action. In that sense, the question is obvious — it is just forced by the situation. Arjuna cannot be both a loyal, dutiful leader of his family and, at the same time, a preserver of lives of his friends and relations on the other side. He has to choose."

According to Professor Nussbaum, the second question is not obvious and is not forced by the situation. Most importantly, it is a question that might have easily eluded Arjuna. "I shall call this question: 'the tragic question,'" she said.

The tragic question rears its head when there is a chance none of the alternatives available to someone are morally acceptable. "Arjuna feels that this question must be faced and when it is faced, its answer is 'no,'" she explained. "Krishna, by contrast, either fails to see the force of that question all together or recommends a policy of deliberately not facing it in order to better get on with his duty. The tragic question is not simply a way of expressing the fact that is very difficult to answer the obvious question — difficulty of choice is quite independent of the presence of serious moral wrong on both sides of the choice. In fact, in this case, as in many tragic dilemmas, it's rather clear what Arjuna ought to do, much though he's tempted to throw away his arrows (that would, of course, ultimately accomplish nothing — resulting simply in the deaths of many more on his own side and possibly the loss of their 'just cause' while countless lives will still be lost on the other side)." It is obvious that Arjuna must fight.

"In non-tragic cases, the obvious question may frequently be very difficult when two or more non-tragic alternatives are equally balanced. The tragic question registers, not for difficulty of solving the obvious question, but for distinct difficulty — the fact that all available answers to the obvious question including the best one are bad," she said. Bad, in this case, as in many others, is defined as "involving serious moral wrong doing."

So how does Arjuna determine that the answer to the tragic question is "no?"

"Arjuna appears to consult an independent account of ethical value according to which murdering one's own family members, especially when they have done no wrong, is a heinous, moral violation," explained Professor Nussbaum. These values include a huge list of items including: respect, kinship and the right. "But deserting one's family when one is their leader and essential supporter is also morally wrong. Ethical thoughts independent of the 'what to do?' question enter in to inform him that his predicament is not just tough, but also tragic," she said.

With that, Professor Nussbaum got to the heart of her talk, explaining that she would be arguing how important the tragic question is for everyone, especially when we evaluate our choices, but most importantly in situations of public choice. "I will argue that while cost-benefit analysis offers an attractive way of approaching the obvious question, it offers no good way at all of registering the force of the tragic question or even of representing the situation in which the answer to that question is no," she said. "Too much reliance on cost benefit analysis as a general method of public choice can distract us from an issue of major importance." She reminded us that many are skilled at making us believe that we have only one question when, in fact, we have two.

"When we think of our two situations of choice that I have just described, it might seem that the real question is the obvious question and the tragic question is just a useless distraction," she continued. Apparently Krishna thinks similarly as seen in the next quotation of *the Mahabharata*.

"'Oh, Arjuna,' says Krishna, 'why have you become depressed this critical hour? Such dejection is unknown to noble men. It does not lead to the

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heavenly heights and on earth it can only cause disgrace....’ ”

Undoubtedly, there are many people who think that Krishna is right. “When one sees where one’s duty lies, one should simply get on with it without tragic hand-wringing and moaning. We don’t want military leaders who self indulgently wring their hands about the blood they are about to shed, or who throw away their arrows and sit sorrowfully. It does no good for them to think this way and it may well do harm to their troops,” she said. “On the other hand, I think it is possible to argue that Arjuna, who sees the tragic question, is a better model of deliberation here than Krishna, who does not.” An important point to Arjuna’s tragic question is that the tragedy could have been avoided by better political planning. According to Nussbaum, this keeps the mind of the chooser (in this case, Arjuna) firmly on the fact that his action is an immoral action that it is always wrong to choose, albeit under duress.

“The recognition that one is going to have dirty hands is not just self-indulgence,” she said. “It has great significance for future actions. It informs the chooser, for example, that he is going to owe reparations to the vanquished and an effort to rebuild their lives after the disaster has been inflicted upon them,” she said. “Most significantly, it reminds the chooser that he must not do such things henceforth except in

the very special and limited circumstances, like the ones he faces right here.”

It is vital that people are reminded of the tragic question during war for it can reinforce morality that should be reinforced in this difficult time. Terrible things occur when the tragic question is not addressed. For example, in war, people could take the infliction of damage on civilians too lightly. “When I talked about this topic a few years back at West Point, the officers and the cadets were very keen on the idea of keeping this particular question in mind as they were worried about the atrocities committed during the Vietnam War,” she said.

According to Professor Nussbaum, many moral philosophers have insisted that tragic conflicts are conflicts only of what they call *prima facie* obligations. “That is to say, obligations that are preliminary, but not final and there can be only one right choice, and once the choice is arrived at, the conflicting obligation simply drops away,” she explained. “I think the difficulty with this idea is that it makes morality the handmaiden of fortune. The sheer fact that obligation ‘a’ conflicts with obligation ‘b’ brings about that ‘a’ or ‘b’ is no longer binding. This allows people to wiggle out of commitments that should be regarded as binding.” For example, someone like Arjuna, who knows killing his kin wrong should not change his mind because of a certain event. “Such a picture of

morality yields an unacceptable picture,” she added.

Next, Professor Nussbaum asks us to consider *Antigone*, Sophocles’s play. “Creon, the ruler, tells the whole city that anyone who offers burial to Polyneices, the traitor, is him/herself a traitor to the city and will be put to death,” she began. “Antigone cannot accept this edict because it asks her to violate a fundamental, religious obligation - to seek burial for her kin. As the philosopher Hegel correctly argued: Each protagonist is too narrow, thinking of only one sphere of value and neglecting the claim of the other.” This means Creon thinks only of the city, neglecting the “laws” of family and obligation, and Antigone thinks only of the family and religion, not recognizing the crisis in the city.

“Each one has an impoverished conception, not only of moral value in general, but also of his or her cherished sphere of value. The character Haemon points out that Creon fails to recognize that these citizens are also members of families,” she said. “A protector of a city who neglects the values of family and religion is hardly protecting a city at all. Antigone, on her side, fails to note that families need to live in cities in order to survive. A person who thought well about Antigone’s choice offers up tragedy because both alternatives contain serious wrong doings or problems.” Because neither Creon nor Antigone see the tragedy inherent to the situation, both of these people are what Nussbaum calls “impoverished political actors.”

“This makes a huge difference for the political future,” she explained. “The drama depicts an extreme situation that is unlikely to occur very often. In this extreme situation there may be no avoiding a tragic clash of duties, but the character who faced the tragic question squarely would be prompted to have a group of highly useful thoughts about governments in general. In particular, it is important to see that the well being of the city and the unwritten laws of religious obligation are of central ethical importance.” Then this person could try to construct a city that makes room for everything. “For people to freely pursue their familial or religious obligations without running afoul of city ordinances,” she added. “He or she would want a city such as the Athenian leader Pericles claimed to find in democratic Athens when boasting about how the public policy in Athens shows respect for unwritten laws of religion.”

In America, do we have what Pericles boasted about in Athens? “We Americans believe that we can build a public order that builds in spaces for people’s free exercise of their religion,” said Professor Nussbaum. “We believe individuals are not always going to be tragically torn between civic ordinance and religious command.”

“Ancient Athens has analogous anti-tragic thought as a direct result, perhaps, of thinking of tragedies like Sophocles and Antigone,” she said. “It was here, indeed, that Hegel found plausibly the political significance of tragedy. Paraphrasing, he said: ‘Tragedy reminds us of the deep importance of the spheres of life that come into conflict within the drama and of the dire results when they’re opposed, and we have to choose between them. It therefore motivates us to imagine what a world would be like that did not offer people such a world that has important action between two spheres of value. In that sense, the end of the drama is written offstage — by citizens who enact these insights in their own constructed political reflection,’ ” she said.

However, Professor Nussbaum did say “Hegel’s approach to tragedy is a little too simple for it ignores the possibility that some degree of tragedy may be a structural feature of human life.” Human beings find themselves with a wide and differing array of values claiming attention and commitment. “The contingencies of life make it almost inevitable that some disharmony will materialize among our many commitments,” she explained. “The only way out of this disharmony would appear to lead a life so impoverished in value that it neglects many things human beings ought not to neglect.” A life like that will avoid tragedy? “Actually, it doesn’t really avoid tragedy — it just fails to see the tragedy involved in its own neglect of genuine values,” she said. “Hegel does give us the best strategy to follow, especially in political life. But we really do not know if the harmonious fostering of two, apparently opposed values, can be achieved until we try to bring that about.”

Many times, and in many places, there have been people who believe that coming to an understanding with religion and the state would be impossible. “Athens, Rome, modern liberal states — grappling

“As well, we differ even more intensely about whether impediments to the publication of pornography are impossible burdens on the freedom of speech,” she said. “But all would agree that there is some such class of morally central entitlements and that violating these is different in kind, not just in degree, than depriving someone of advantage or service. They agree that when there is an apparent conflict between two public goals, where one goal seems likely to be sacrificed the tragic question must be asked.”

with the even thornier problem of the plurality of religions and of secular views -- all, in their own ways, try to prove these people wrong,” she said. “To a great extent a political régime like ours (United States) enables citizens to avoid *Antigone*-like tragedies. That is what is meant by saying, as the Supreme Court said until very recently, that the state may not impose a substantial burden on an individual’s free exercise of religion without what they call a compelling state interest.”

But didn’t Creon have a compelling state interest? “Won’t there be the chance that other people have issues similar to Creon’s?” Perhaps, but Professor Nussbaum does believe that we (in the U.S.) really do our best to keep tragedy at bay. “People are not going to be told that they can’t celebrate what their religion requires them to celebrate because of some civic laws. This is because we understand the course of the tragic question. To ask an individual to depart from a religious commitment is not just to impose an inconvenience; it is to ask something that goes to the heart of that person; it would deprive them of a sphere of liberty to which, as citizens, they have entitled to them, based on justice,” she explained.

She noted that Hegel’s idea of the tragic question could be seen even in a “true modern story with rather mundane content. In this story”, she explained, “given that the harms done are smaller, it will look

less tragic. But it still raises those similar Hegelian questions.”

As a new, assistant professor, Professor Nussbaum was dealing with the issue of working as well as being the sole caretaker of her young daughter. During the day posed no problem, because her daughter was in day care. However, her colleagues would insist on scheduling important and mandatory meetings in the evening or late afternoon, during which she had to pick up her daughter. She found herself facing her own tragic question. “Often, neither of the alternatives looked fully, morally acceptable. Either I was deserting my duty to my colleagues or my daughter. The tragic question kept rearing its ugly head and frequently its answer was, ‘no, there is no fully acceptable course,’” she remembered.

“This string of mini-tragedies was the result of obtuseness,” she told the group.

“The arrangements my colleagues made were neither necessary nor sensible because it never dawned on them to think that a person ought to be able to be both a good primary parent and a good colleague,” she said. “They never bothered to think what very simple changes in schedule might be made to remove the problem. Nobody could talk about this, nobody could draw attention to it — certainly not the women.”

Then during one of these evening lectures a male, tenured professor told the group he had to leave to pick up his son. “This,” explained Nussbaum, “was the first time there had been public acknowledgment there was a tension between two spheres of value and that we hadn’t been managing the tension very well. Whether or not this professor noticed he was in the middle of a tragic question remains to be seen. But when he spoke about this situation, he drew attention to the predicament of others who were more vulnerable and who had similar family obligations.”

In our society there is a tendency to look at things like Professor Nussbaum’s now-resolved past string of mini-tragedies and say, “That’s just the way life is.” But is it?

“Whenever we are inclined to say this about any clash of values, we should always pause and ask Hegel’s question - is there a rearrangement of our practices that can remove tragedy? In this case, it was easy. However, in many others, it may not be,” she said. Professor Nussbaum believes that examining child care, family leave and re-examining the career track would serve as useful starting points to finding the answer. “We need to examine alternatives because tragedy is rarely just tragedy. Most often behind the gloom is stupidity, selfishness or laziness,” she added.

Naturally, however, there are times when pausing too long over the tragic question is unnecessary. “For example,” she said, “you needn’t pause too long if it is obvious that at least one available course offers no serious wrongdoing.” But it is useful to at least pose the tragic question. “To do so just clarifies the danger of our ethical alternatives, informing us about important differences between self-interest and commitment, and reinforces commitments to important moral values that should be observed. It motivates us to make appropriate reparations for conduct. The recognition of tragedy leads us to ask how the tragic situation might have been avoided by better central planning,” she said. “And as such, all contemporary liberal democratic societies ask the tragic question at least implicitly.”

What this means is that these contemporary liberal democratic societies look for certain particular social goals and among those, pick out the ones that can offer the best things to the greatest number of people.

“These would be the things that everyone has a right to demand. Sometimes the venue of such protected areas value is relatively narrow, encompassing only first generation rights (i.e. civil liberties), and sometimes it is broader, taking in economic and social rights,” she explained. “All nations have some account, however lasting or disputed, of where the threshold falls in respect to each of these entitlements. What kind of deprivation of these rights is somewhat acceptable as to constitute a violation of a basic norm? Usually we understand the importance of the rights in moral terms, i.e., for these citizens to lack these freedoms would be morally bad.”

In regard to certain types of limits, most Americans are very divided. “Some Americans think that certain kinds of limits (freedom of the press, the right to vote, etc.) are not just big costs to be born, but costs of a very particular kind,” she said. “High costs that cause violation of rights which no citizen should have to bear. We differ in many ways about where we think that line falls between permissible, though disadvantageous and morally serious deprivations in these areas, however.”

As an example, she spoke of Americans differing opinions on the impediment currently faced by Native Americans since they have been denied the right to use peyote in their ceremonies. “Is or is this not a violation of fundamental constitutional and moral entitlement for these Native Americans? As well, we differ even more intensely about whether

“There is a potential for tragedy pushed beneath the threshold of entitlements. Then the tragic question arises. For wherever we find that citizens are pushed beneath the threshold, social goods are lost. People incur a particular cost to bear, the cost implicated in the

impediments to the publication of pornography are impossible burdens on the freedom of speech,” she said. “But all would agree that there is some such class of morally central entitlements and that violating these is different in kind, not just in degree, than depriving someone of advantage or service. They agree that when there is an apparent conflict between two public goals, where one goal seems likely to be sacrificed, the tragic question must be asked.”

In watching how public policy is made, it is interesting to see how frequently people find themselves above or below what Nussbaum calls “the threshold” of these entitlements. “Much further work must go into specifying the threshold level in case of each entitlement and traditions of judicial interpretation will be involved in that process,” she noted. “There is a potential for tragedy to arise when citizens are pushed beneath the threshold on one of these basic entitlements. Then the tragic question comes into play. For wherever we find that citizens are being pushed beneath the threshold, social justice has not been done. People incur a particular cost no human being ought to bear, the cost implicated in the idea of human dignity itself.”

People are forced to choose between values involved in family and values involved in employment constantly, from asking people to work on Saturdays to mandatory overtime. “How can we bring it about that citizens don’t face tragic choices all of the time,” asked Professor Nussbaum. “Notice that there is

some connection between the obvious question and the tragic question when citizens try to figure out what an acceptable threshold level of central entitlement shall be,” she added. “Asking what options actually are and figuring their costs and benefits informs a process of reflection on the tragic question as well, by telling us that some ways of rearranging things are just impossible or much, much too costly.”

As another example, Professor Nussbaum posed a hypothetical question: Suppose a religious group says they want to remove all of their children from the entirety of compulsory education telling us that because of their religion, their children can not learn to read and write? “Let’s suppose that we think the alternative of allowing them to do this is very costly, not only for their own children and the state’s interest in their education, but also for other citizens who seek similar exemptions possibly destroying the entire system of education that’s the necessary basis for intelligent citizenship in a pluralistic democracy,” she ventured. “Now, we turn back to the tragic question. Is this one of those instances where denying them this alleged right is actually denying them a fundamental entitlement involved in the very notion of free exercise of religion? It seems clear that this isn’t one of those cases. The answer to the question — are any available courses morally acceptable? — is yes. It is acceptable to make the children go to school up to a certain point. We give people an acceptable level of liberty of religion while insisting on some education. We say this because we don’t think freedom of religion in a pluralistic democracy can feasibly be interpreted to demand something that will simply erode the foundations of civic order. And in that way, we draw a connection between our two questions.”

However, she warns against taking this connection too far. What if the administrators at her first university concluded that changing the time of the meetings would wreck the foundations of the social order? “Unfortunately,” she said, “that is indeed how people are inclined to view any ‘irritating’ changes in their habits. As recently as 1873 the Supreme Court held that to allow women to be lawyers in my home state of Illinois would wreck the foundations of the social order and go against what we call ‘the nature of things.’” According to Professor Nussbaum, knowing that we aren’t very reliable judges when it comes

tragedy to arise when citizens are pushed beneath the threshold on one of these basic entitlements. Then the tragic question comes into play. For wherever we find that citizens are being pushed beneath the threshold, social justice has not been done. People incur a particular cost no human being ought to bear, the cost implicated in the idea of human dignity itself.”

to knowing what we need for the overall survival of society, we should be skeptical when people tell us that change will “erode society.”

She said, “we should not hold certain fundamental entitlements hostage to current social mores.”

We should also be skeptical of the cries of those who say the cost of securing these “certain fundamental entitlements” to all citizens would be too high. “And we should say to them, ‘let’s try first, and see how it goes,’ “ she said. “After that, we should also be prepared to recognize if some very important social goods are not on/can not be on the list of entitlements -- it should read next to these items: ‘Are not available, or not available due to high costs in our own current social environment.’ For this would give us a motivation to design things better so we will be

able to secure the entitlement to people at some future time.”

[Martha Nussbaum](#) received her B.A. from NYU and her M.A. and Ph.D. from Harvard. She has taught at Harvard, Brown, and Oxford Universities. Currently, she teaches both philosophy and law at the University of Chicago. Her publications include *Aristotle’s De Motu Animalium* (1978), *The Fragility of Goodness: Luck and Ethics in Greek Tragedy and Philosophy* (1986), *Love’s Knowledge* (1990), *The Therapy of Desire* (1994), *Poetic Justice* (1996), *For Love of Country* (1996), *Cultivating Humanity: A Classical Defense of Reform in Liberal Education* (1997), *Sex and Social Justice* (1998), *Women and Human Development* (2000), *Upheavals of Thought: The Intelligence of Emotions* (2001).

## Quotable Quotes

“The purpose of all war is peace.” - Saint Augustine

“Peace hath her victories, no less renowned than War.”  
- John Milton

“Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and not clothed.” - Dwight D. Eisenhower

## Tragic Questions and Moral Vigilance

This issue of the Center's Newsletter features a lengthy report of a speech given nearly two years ago at CWRU by Martha Nussbaum, Professor of Law and Philosophy at the University of Chicago. Usually such a talk, even by someone as illustrious as Professor Nussbaum, is considered "old news" after such a lapse of time. We do not consider it so. Here at the CPE, what is "news" is what contributes to the ongoing conversation about the moral life. Ms. Nussbaum's talk surely is such a contribution. In it, she distinguishes between the "obvious question" and the "tragic question," the former being one forced upon us by the situation at hand; thus, requiring an answer in the form of a decision when events press upon us with immediacy. Lurking beneath the "obvious question," however, and sometimes unseen by those in the fray, is the "tragic question." That question is the one that forces the actor to see that whichever way the "obvious question" is answered, some harm is bound to be done, some evil will directly flow from whatever decision is made. The burden of the "tragic question" is not erased by the answer given to the "obvious question," even if that answer is nuanced in a morally sensitive way. The tragedy in the hidden question means the actor must be willing to do something

more — give reparations, for example, when the waging of even a just war devastates a country and its largely innocent population.

The obvious question facing the United States government after 9–11 was how to respond to the horrific terrorist attack launched by al Qaeda upon New York and Washington? The answer was: wage war against both that terrorist organization and the Afghan government that was protecting al Qaeda's operations. The tragic question loomed within the answer to the obvious question: how shall we aid the country that our bombs devastated? For aid we must. The Afghan war killed innocent people and wrecked havoc on an already poor country. We are morally responsible to help to build a decent infrastructure in Afghanistan; to stabilize its internal social and political mayhem; and to help it to become a free and functioning nation.

Professor Nussbaum, however, has more to teach us about "tragic questions" than that there is a moral imperative to clean up messes we helped to make — even if those messes were necessary in pursuit of a greater good. There is more to

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understand in tragic situations than that cost-benefit analysis is an insufficient tool for moral analysis. Citing Hegel, Nussbaum asks us to ask ourselves continually: “is there a rearrangement of our practices that can remove tragedy?” The answer is “no, not always,” for tragedy is part of the human condition; but the answer is also, “yes, sometimes.” When I teach professional responsibility to law students, I challenge them to think that the way they set up office practices or routinely talk to clients can avoid tragic questions. Do you have a sophisticated conflicts of interest procedure to avoid problems before they arise? Do you make it clear to clients that perjury is not something your law office tolerates? Can these procedures and conversations be themselves sensitivity established and

maintained so that stridency and personal offense are eliminated?

Tragic questions can occur in the routine undertakings of life as much in the large affairs of state. As Nussbaum says: “...tragedy is rarely just tragedy, most often behind the gloom is stupidity, selfishness or laziness.” The tragic question often goes unexamined as we deal with an obvious question. Sometimes, however, the tragic question can be avoided altogether. This takes moral vigilance, something ethical training can sometimes provide.



*Robert P. Lawry is the Director of the Center for Professional Ethics and a Professor of Law at Case Western Reserve University School of Law. His column, Director's Corner, appears in each issue.*

## The Center for Professional Ethics

**Robert P. Lawry**  
*Director*

**Jeanmarie Gielty**  
*Writer and Editor*

The Center for Professional Ethics at Case Western Reserve University provides opportunities for students, faculty, administrators and professionals to explore more fully the foundations of personal and professional ethics. To join, please fill out the membership form on the back page of this newsletter. This newsletter is printed four times yearly. All rights reserved.

Volume 3, Number 3

# Ethics Fellows News and Notes

## TOM ANDERSON APPOINTED TO DEVELOPMENT POST

Ethics fellow Thomas W. Anderson has been appointed interim vice president for development and alumni relations at CWRU. Professor Anderson teaches ethics regularly in the EDM program at the Weatherhead School of Management and serves as a development consultant through the national firm Marts & Lundy.

Incidentally, Tom held this position once before, earlier in his CWRU career. He was featured in this newsletter in Volume 3, Number 1.

## BETH MCGEE APPOINTED TO AFFIRMATIVE ACTION POST

1996 CWRU Ethics Fellow Beth McGee was appointed by Interim President James Wagner as affirmative action officer for faculty. The mission of the Office of Equal Opportunity and Diversity is to provide support, guidance, and leadership in the areas of equal opportunity, affirmative action, and diversity; and to promote fair and equitable treatment in employment and other aspects of campus life.

According to the CWRU's *Campus News*, the creation of the affirmative action officer position for faculty, and moving this function out of the Office of the Provost -- were recommendations of the President's Advisory Committee on Women.

As readers may remember, most recently, an excerpt of Professor Beth McGee's paper "Ethical

Responsibilities in Higher Education: Experiential Learning as a Model for Reform" appeared in The Center for Professional Ethics Newsletter Volume 2, Number 4. She gave her paper at the Sixth National Communication Ethics Conference, Gull Lake, Michigan May 12, 2000. (with thanks to CWRU's *Campus News*)

## BOB LAWRY AND MEDIA

In March and April of this year, Director Robert P. Lawry was quoted in two major newspapers. The first, "Calls for Lawyers to Blow the Whistle Ethics: Enron's Collapse Increases Pressure on the Legal Profession to Allow Lawyers to Report Clients' Financial Misdeeds" was published in the *Los Angeles Times*, and the second, "Lying for a Living When Jobs Are Scarce, Double Talk is Common" ran in the *Fort Worth Star-Telegram*. The first article focused on lawyer-client relationships in the wake of the Enron scandal while the second article mulled over the idea of lying on the job, specifically when lying about qualifications. You may view these articles in their entirety on-line at each paper's website.

## DAVID MATTHIESEN AND GIFTED PROGRAM

The gifted and talented students of Lakewood, Ohio were treated to a program presented by ethics fellow David Matthiesen. His program was part of a week-long leadership camp this spring. Matthiesen is a professor of materials science and engineering and was a member of the space shuttle Columbia team in the 1990s. (with thanks to the *Cleveland Plain Dealer*)

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PHONE \_\_\_\_\_ SCHOOL \_\_\_\_\_