The Concept of Moral Imagination – an Inspiration for Writing and Using Case Histories in Business Ethics?

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Abstract: The paper presents a discussion of how the concept of moral imagination can enrich the process of moral deliberation in case discussions when teaching business ethics. The author links the discussion to experiences of having written a case where the goal was to generate a wider and more comprehensive learning process. The process then may yield – depending on the case and the use of moral imagination – the creation of entirely new solutions in ways that are novel, economically viable and morally justifiable.

Key words: moral imagination, case studies, business ethics, sympathy, learning process, writing of cases, Shell.

1. Introduction

Cases are a good teaching medium to further moral imagination which is "an enabling mechanism for the ongoing process of moral deliberation and moral judgment that is not merely reactive, sentimental, or absolutism". (Werhane, 1999, 108)If this statement is true, and I believe it is, what are some of the main aspects to consider when writing and teaching with the case method in a course on business ethics? Are the methodologies the same? Is the case method in business ethics really effective? If so, how? And finally, can we prove that there is scholarship in writing case studies and teaching with cases in an ethics course? The following paper sets out to address some of these questions by trying to establish a link between the concept of moral imagination and the development of a case study for a course on business ethics.

Moral deliberation and moral judgment as skills belong to the field of moral philosophy and thus are different from what we normally find in management education. A known definition of a case study reads as follows: "A case typically is a record of a business issue which actually has been faced by business executives, together with surrounding facts,

opinions, and prejudices upon which executive decisions have to depend. These real and particularized cases are presented to students for considered analysis, open discussion, and final discussion as to the type of action which should be taken". (Gragg, 1930, 6)

This then would imply, that students are facing a real-live business situation with real problems at a particular point in time. Students are given data, substantive and process – which are necessary to analyze the problem in order to frame alternative solutions, keeping in mind the need to implement the decision in form of actions.

Students learn to see the ambiguity of the business world, the lack of enough information and the speed necessary to reach a conclusion. A major part of learning consists of "boiling down" case facts to their essence – well known in legal studies – in order to present a variety of options.

2. Teaching with the case method

In a nutshell, there are a set of five fundamental principles underlying case method teaching according to Barnes, Christensen and Hansen (1994, 47):

1. *The primacy of situational analysis*. Students are forced to deal with the "as is", not the "might be". This also includes the absence of needed information, the ever-present conflict of objectives, and the imbalance between needs and resources. The overall goal is to help the students to deal with the situation – as if in real life.

2. *The imperative of relating analysis and action*. The overall intent here is to combine knowing and acting, and doing this in a classroom setting, which normally stresses conveying knowledge in the form of theories.

3. *The necessity of student involvement*. Cases require the active intellectual and emotional involvement of the student. In group-discussions students also learn other real-life administrative skills: observing, listening, diagnosing, deciding and intervening in order to achieve the desired objectives.

4. *A non-traditional instructor role*. Rather than teaching, the instructor encourages learning. As a discussion leader, he or she is less an authority figure, but more a member of the learning group, facilitating a process of joint inquiry. Finally, the instructor must be both a teacher and practitioner.

5. *A balance of substantive and process teaching objectives*: *the development of an administrative point of view*. When successful, the case method produces a manager grounded in theory and abstract knowledge with the ability to apply what he knows. At the Harvard Business School, that accomplishment has traditionally been summed up as the development of an *administrative point of view.*

This latter point resembles the claim that the goal of a case discussion in a business ethics course is to develop an *ethical point of view* (Goodpaster, 2002, 2). Does that mean, the ethical point of view comes in addition to the administrative point of view? Is it the result of a joint venture between philosophy and management education, as Goodpaster seems to suggest? Let us review the arguments.

According to Goodpaster, the case method as a form of pedagogy is particularly suited to the subject matter of business ethics. (2002, 6). If the idea behind the case method is to develop a joint inquiry or learning process as stated before, the Socratic method of questioning known to teachers of philosophy seems to work well. Goodpaster himself suggests a set of techniques: instructor feedback, role-playing, breakout team activities, written case analysis assignments and the use of "virtual" classroom technology. In addition, his C.A.T. Scan, an acronym for Case Analysis Template, as a matrix for the ethical analysis of cases, is an extremely useful tool. His strongest arguments in favor of using the case method as a pedagogy for ethics however, is what he calls: *slowing down time*. The case method then is a device for slowing time in a decision-making situation, so that "learners are able to build habits of discernment otherwise hindered by the sheer velocity of business life. Like a football team viewing and discussing videotapes in slow motion after key games, management students prepare for their futures by practicing on realistic decision situations with minimal urgency." (Goodpaster, 2002, 6). Already here, the use of the case method in business ethics departs from the "fast track" used in other management cases.

However, can we not go a step further? Is it possible to argue that the case method used in a business ethics course lends itself to achieve even more than developing the moral point of view by using different "avenues" for ethical reasoning? Going back to Patricia Werhane's definition, quoted above, moral deliberation can be more than being merely reactive, sentimental, or absolutism. While Goodpaster suggests imagining a jury of deliberate voices from which the learner seeks a verdict (2002,13), Patricia Werhane takes us on an intellectual journey to rediscover the strength of moral imagination. When teaching business ethics with the help of the case method, we come very close to presenting students with a situation where they can themselves exercise

moral imagination. Moral imagination goes beyond recognizing particular circumstances or a given set of rules. According to Werhane

> In managerial decision making, moral imagination entails perceiving norms, social roles, and relationships entwined in any situation. Developing moral imagination involves heightened awareness of contextual moral dilemmas and their mental models, the ability to envision and evaluate new models that create new possibilities, and the capabilities to reframe the dilemma and create new solutions in ways that are novel, economically viable and morally justifiable. (Werhane, 1999, 93)

I believe, both Goodpaster's reemphasis of virtue - cultivating the habits of the heart - as part of teaching ethics and Werhane's attempt to link students ability to develop moral imagination have a lot to offer when using the case method.

Let us briefly revisit what is meant by moral imagination, emotions and practical wisdom. Adam Smith in his *Theory of Moral Sentiment (1759/1976)* wrote that "(h)ow selfish soever man may be supposed, there are evidently some principles in his nature, which interest him in the fortune of others" (I.i.1.1.). According to Patricia Werhane (1999, p 92) one of these principles is sympathy. However, sympathy is not to be confused with empathy or a sentiment of passion; it designates an agreement to or an understanding of the sentiments of others. This means, a person projects himself into another's experience, trying to understand and comprehend cognitively the emotion of the other person without actually feeling it.

According to Robert Solomon (1994), emotions are not just "phenomena" to be analyzed and understood. They lie at the very heart of ethics, determining our values, focusing our vision, influencing our every judgment, and giving meaning to our lives.[1]

These aspects can be nicely linked to Aristotle's understanding of *phronesis*, practical wisdom that is not deductive scientific understanding …"but a kind of perception" (Nichomachean Ethics, VI, 8 1142 a23-9).[2]

This perception, or 'external knowledge' of the relevant features of a new situation and their relative importance in each specific circumstance, is closely bound to both sympathy and emotions. Being able to see these features is a prerequisite to internalizing the knowledge, to building practical wisdom, even if this is done with the help of the "quasi-experience" of a case history.

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1. In an unpublished paper *"Some Notes on Emotion, "East and West" p.24.* Parts of this essay by Robert C. Solomon were presented at the East-West conference in Mount Abu, Rahjistan, January, 1990 and in Brisbane, Queensland in 1992. An earlier, longer version of this paper has been published in Roger Ames and Joel Marks, eds., Emotions East and West (Albany: S.U.N.Y. Press, 1994). He has argued this point at length in his book The Passions: Emotions and the Meaning of Life (Indianapolis: Hackett, 1993).
2. in M. Nussbaum's translation in: The Fragility of Goodness, Cambridge University Press,1986, p.305.

Since the educational goal of using cases is to present students with a narrative, describing a situation in business, where one or several individuals, depending on their roles, are facing a difficult decision, we have to recognize this interplay of sympathy, emotions and reasoning. The reader faces then at least two alternatives, either to agree with the actor's decision making processes, or to see alternative avenues that go beyond what actually happened in real life, and therefore opens wider perspectives for action. These actions could also be morally justifiable and economically sound. In most instances, we need to keep in mind, to what extent we can or even should expect the reader to "pretend" to be objective, dispassionate and at the same time involved by "putting him/herself" in the shoes of the manager. Maybe it is an illusion to expect the reader to be totally impartial, emotionally disconnected. Teachers should make students aware of the importance of their own subjectivity, their own set of mental moral models that come into play when assessing the given situation from a moral point of view and also when exercising moral imagination. What makes any emotion personal is the fact that it is a particular person's outlook on the world, embodying his or her perspective, background, hopes, fears and concerns.[3]

Teaching business ethics with the case method implies furthermore to learn to distinguish carefully between what one prefers as morally 'ought to do' and what others think they consider as 'ought to do'. It also means accessing ones own tacit moral convictions and emotions that are seldom articulated in case discussions. Some consider personal belief systems to be private matters which have nothing to do with a case discussion or a decision making process. This is in stark contrast to what actually happens in real life, where many decisions taken are heavily influenced by non-rational factors. The existence of different personal assumptions and belief systems tend to surface strongly when students come from different parts of the world, thus representing different cultures, social expectations and moral sets of rules. Cultural differences deserve to be taken seriously in case discussion in a course

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3. Robert C. Solomon**, "**The Cross-Cultural Comparison of Emotion" (Emotions East and West: Ames, Marks) (unpublished paper), p27:"Emotions, I claim, are a species of judgment. There are a number of immediate qualifications, which I will only outline here. First and foremost, judgment is not the same as belief, and the fact that critics typically exchange the one term for the other is responsible for a number of confusions. First, judgment need not be overly intellectualistic. It need not be conscious, reflective or articulate. We make kinaesthetic judgments all the time, for example, usually without being aware of the fact that we are making them, much less articulating them (to ourselves or others) as we go. Second, emotional judgments (like kinaesthetic judgments) are always evoked **from a perspective**, defined in part (as in kinaesthetic judgments) by one's physical embodiment but, more generally, by one's place in the world, one's cultural context, status and role(s) in that cultural context, one's personal situation. In this, they are distinctively opposed to mere beliefs, which in the attenuated if central role they now occupy in cognitive science and philosophy of mind are distinctively not perspectival nor, properly articulated, indexically located."

on ethics. In my own experience it is mandatory at this point of a case discussion to "peel away" language differences and assumptions that can cause misunderstanding and even judgmental behavior. If ignored, the result can be that the dominant voice "wins" without a fight. In such cases, it is useful to focus on those moral elements of our mental models and moral principles that are universally shared. Why not agree on what one already can agree on? Students are often surprised when they realize how much they actually have in common, in spite of cultural differences. This realization opens new avenues to go beyond moral reasoning as well and thus offers opportunities to apply moral imagination in new ways.

Therefore I agree with Patricia Werhane when she stresses why "moral imagination begins with a particular case, scenario, or event in which we become engaged as thick social selves."(1999,103). Does this not mean getting involved as person with all our personal and cultural "baggage" containing socially developed norms and values and sentiments? This is where, in my opinion, the development of an administrative point of view differs the most from the development of a moral point of view. And here the use of the case method in business ethics may in fact be getting us from the high ground into the "swamp of important problems and non-rigorous inquiry" according to Donald Schön of MIT, as quoted by Goodpaster. (2002,1) Whereas on the high, hard ground technically interesting management problems can be solved using the latest sophisticated techniques and theories, in the "swamp" practitioners and students struggle with confusing problems whose very nature defies any technical solution. According to Schön, all the important issues lie in the swamp.

If the case method in a course on business ethics is to be valuable, we need to acknowledge that the rational model which the case method was originally meant to serve for the administrative point of view is incapable of handling dilemmas in which the choice between good or bad is never clear. Furthermore, often the choice can be between two "good" or, worse, between two "bad alternatives" The writer of a case history ought to pay attention to this 'problem'.

We also need to heed the warning that the use of case studies in teaching business ethics must not lead to the application of moral theories or deontological or utilitarian principles alone divorced from the particular situation described in the case. In the worse case this could lead students to carry out a mere intellectual exercise or a form of "moralizing" discussion, severed from reality.

As teachers we all have experienced how conclusions based on a deontological perspective can be the direct opposite of those based on utilitarian principles.

Any case discussion then has to be grounded in the particular dilemma situation which includes contextual factors, organizational culture traits, local,

situational and personal schemes and types. The existence of scripts – "this is the way we do things around here" – well documented by Dennis Gioia (1992) in addition to role assumptions of agents, always play a critical role.[4]

In particular, when applying moral imagination students need to understand where their own positions are grounded as well. What are the sources for their own moral imagination? This deeper search gives students a chance to go beyond the description of events in the case and reach insights normally not offered in common management cases. They learn to understand the murky logic of the swamp, where people are emotional, social creatures, not logical machines. Different personal moral judgments can be compared with regard to process and consequences. Quite often this leads to an awareness of systemic or organizational changes necessary for a successful implementation of a decision. It is in this regard that the moral point of view can enrich and widen the decision making process required beyond the administrative point of view. In fact, many case discussions in a business ethics course yield surprisingly different "results" with regard to what initially appeared to be the obvious choice of action.

Moral imagination then is part of a wider and more comprehensive learning process which involves the student as an individual with personal preferences as much as a student of business. The process can – depending on the case – yield the creation of entirely new solutions in ways that are novel, economically viable and morally justifiable, as Patricia Werhane has suggested.

3. Researching and Writing a Case Study

What then are the implications for writing a case study to be used in a business ethics course? According to the many experts who have written about case studies (Naumes and Naumes, 1999) a good case is like a good story, it has a theme or a message, something for the reader to take away and think about, once the story has ended. The message ought to be thought provoking, memorable and detailed enough to allow an evaluation. In contrast to fiction (which also can be used in teaching of ethics), business cases should be fact-based, realistic and representative of a given time. [5]

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4. Not knowing enough about culture traits, local situations and specific organizational features often limit the value of case histories. For that reason, in spite of the overall emphasis on internationalization, students are well served with being exposed to cases from their own cultures where it is easier to recognize social "scripts" and norm sets.
5. It is interesting to note that some cases in the teaching material on business ethics become rather "dated" and thus less useful to teach with. However, they are interesting from a historical perspective as they depict organizational settings in the past.

Writing a case is essentially a researched study with a sample of one particular event involving a number of individuals who are facing a decision, either to be taken or having been taken. The case writer though, unlike the researcher, has to approach the situation he or she wants to describe without linking the data to relevant theories or hypotheses. As Naumes and Naumes (1999,13) suggests, teaching cases present only the direct observations and facts, serving as vehicles for students to apply their skills in analysis and decision making. In view of the arguments above, I would add, a teaching case in business ethics has to contain a set of elements that lend themselves to emotional "identification" with the decision maker and contain "space" for moral imagination.

While the educational objectives of a business case is to yield as outcome "the administrative point of view", it makes sense to focus on five of the following seven goals (Reynolds, 1978, 130 (quoted in Naumes and Naumes p.27):

1. Develop concepts

2. Understand techniques

3. Acquire skill in use of techniques

4. Acquire skill in analysis of business problems

5. Acquire skill in synthesis of action plans

6. Develop useful attitudes

7. Develop mature judgment, wisdom

Only the latter two objectives seem to coincide with what one normally expects to find in cases with an ethical component. As a case writer of a case for business ethics, it is a challenge to find real-life situations in business where the ethical dimension is not "obvious", unless one goes back to cases where "ethical rules of behavior" were broken.

My goal was to describe a situation where it was possible to evaluate the situation faced by an executive before a decision had to be made. The ethical components should be less clear, yet indirectly present in the decision maker's thought processes and emotional struggle which students should identify with. The intention was to find a case which would meet the highest educational objective possible, namely to develop mature moral judgment and practical wisdom, by showing not only the high ground but also the "swamp". Therefore the case was to include other stakeholders and their opinions, including concerns for the environment, allowing students to create more than one value

system that needed to be weighed. Such a case – both to write and to teach with – is particularly complex, as multiple alternative decisions and plans for action are likely to come out of the case discussion. Students, used to case discussion from other business classes, find this rather confusing and "messy" at first. But if the goal of using such a case in a course of business ethics is to open different avenues of moral reasoning – as suggested by Goodpaster – the ethical point of view must cause discomfort when different viewpoints are being presented. As Goodpaster (2002, 12) warns, "Learners are not *encouraged* to conclude in such cases that *moral insight* is unattainable – or that the moral point of view is subjective, arbitrary, or self-contradictory". On the contrary, this is where the "work" really begins. A *moral insight* has to be sought through further reflection, moral imagination and dialogue. And this is the demarcation point from other uses of business cases.

Having taken notice of the above particular educational objectives of a case for business ethics, I ventured to write the history about the "closure of one of Shell's most productive and efficient oil refinery in Norway". Why this story? It is first of all a story of a managerial challenge, taking place in a particular value-laden environment in 1998/99 shortly after Shell had undergone painful experiences with incidents in Nigeria and Brent Spar. The company had decided to move its "Principles for Business" to center stage. Furthermore, a major public relations campaign had been started focusing on stakeholders and reputation management. Therefore I chose as title for the case history: *Principles versus Profit – does there have to be a choice?* The case has two parts with part A leading to a decision to be made, while part B recounts what actually did happen and why the decision by the board led to a different course of events than originally anticipated.

4. A Synopsis of the Case

The Shell Group operates an oil refinery on Sola in Stavanger, located on the South West Coast of Norway. After the opening in 1968, the refinery had gone through major changes with respect to technology, work processes and organizational structures. By 1998 the culture that characterized the refinery was one of high self esteem, pride, and a feeling of ownership among employees. The refinery was performing extremely well, was highly automated and profitable.

However, industry-wide overcapacity, anticipating weak refinery margins, and environmental considerations resulted in a proposal from Shell's headquarters that the Sola refinery should be closed down in 2000. The proposal was part of a long term strategy for restructuring the European refineries in Shell's portfolio.

Employees were shocked and bitter when they were told of the decision, but full of fighting spirit. In January 1999 representatives of Sola's employees met with management of Norske Shell (name of the Shell division in Norway) and representatives of the Shell Group and presented their own business case, showing that Sola would be profitable until 2005 even under the new Auto-oil I regulations with a NOK 56 million investment. In deciding which plant to close down, the question arose whether it is ethically correct to shut down the best performing site in Europe among Shell's 17 refineries. Sola Refinery's profitability and performance record was the direct result of the dedication of the employees. Sola employees had done everything they could to set new quality and performance standards in the Shell Group, and their results were consistently above average. For example, manpower levels had steadily decreased by 25% in 8 years and fixed costs were, in 1997, 30% lower than the average. Average maintenance cost was the lowest in Europe. This has been made possible because Sola's culture or "script" demanded full participation of all employees in the creation and development of ongoing change and performance enhancement initiatives. Employees and management together had fleshed out the details of what Sola meant in terms of valued behavior, common goals and future opportunities.

David Loughman, managing director of Norske Shell, had to make his recommendations for or against closure of the refinery to the board, well knowing that the value based reputation of the entire Shell Group was at stake. What was he to do?

He recalled the following: The Shell Group has a number of publicly expressed moral values and commitments. Most notably is the "Statement of General Business Principles" highlighting in particular company values such as honesty, integrity and mutual respect. Equally relevant was another clause, which says that the company shall respect the human rights of their employees. Furthermore the company promises that they shall conduct business as responsible corporate members of society. Another clause outlines that investment decisions shall not exclusively take into account economic factors but should also take into account social and environmental considerations.

5. Ethical Dilemmas

Some of the ethical issues embedded in the decision to be made can be summarized as follows: Can the Shell Group shut down a local refinery for strategic and environmental reasons, when the refinery is highly profitable and successful? This is an important issue for society because it asks us whether it is morally right that employees who have worked hard and have turned an uncompetitive refinery into a profitable one should be "rewarded" by being put out of a job for other values.

The case also raises the issue of the inherent power inequality between employers/owners and employees. Seen purely from a deontological perspective, this brings into conflict the rights of employers and employees. Employees have a right to participate and have a say in decisions that affect their future. They have a right to a due process, to be treated with respect, and receive information relevant to job security and safety. On the other hand are the rights of employers or owners whose mandate it is to decide the future of the company based on profit and competitiveness.

Related to the first issue, is it ethical for Shell Group to close the oil refinery as early as 2000 (before the Auto-2 environmental regulations are expected to come into place in 2005)? From a moral perspective, closing the refinery earlier than needed would be unethical in terms of the level of harm imposed (employees losing their jobs earlier) relative to the benefit (happiness) obtained from closing early. From a rights based perspective, one can also see this as unethical as it undermines employees' right to job security and income. In addition there is the issue of timing the decision with regard to employee participation in the decision process.

6. Teaching the Case and Provoking Moral Imagination

At this point students are asked go beyond the application of ethical theories by focusing on "promises given" or values stated. The next questions raised are then: Is it morally acceptable that Shell Group's actions are not in alignment with its own corporate values? Is their decision and the process applied to shut down the refinery inconsistent with their own public corporate values as set out in their "Statement of General Business Principles"? If the company values are to be taken seriously, then it is a moral imperative that employees and the local community are treated consistently with these values. This would mean that if Shell considers honesty a corporate value, Shell must be honest about the reasons for everything they are doing. The Shell Group should spell out all the reasons for closing the refinery including how they plan to build a potential partnership with another oil company.

Should profit be the only factor when companies are making decisions? Should there be an obligation to consider societal impacts of decisions? These questions are becoming even more relevant in the context of globalization and the need to publicly report a company's social responsibility.

Most student groups concluded the fact finding part by saying: The case suggests that David Loughman needs to consider carefully what to recommend to the board of Norske Shell, and how to defend the decision morally and strategically in view of the commitments of the Shell Group as stated in their "Principles".

However, the students then applied what can be called moral imagination according to Pat Werhane's (p101) recommendations:

1. Focus on the particular, a particular person and a particular situation.

2. Disengage as objectively as possible.

3. Look for possibilities or ideals which are viable and can be put into practice.

4. Make sure that these possibilities have a normative or prescriptive character (They concern what one ought to do.) But more important is the fact that such ideas go beyond the "normal managerial script" that governs much of management decision making.

As described below, the students concluded in their recommendations that it is possible to expand the scope of one's beliefs and one's administrative perspectives and possibilities by morally imagining what a "reasonable agent" would have done.

The following are two samples of student recommendations:

1. *In the Sola case, David Loughman should propose to the board of Norske Shell to close down the refinery once there is clear evidence that this is needed to sustain long-term profitability and competitiveness, and resources will be used to invest in a strategy for cleaner fuel. In the process for making this decision the company should inform all stakeholders **and involve** the employees early on. Further, the company should develop a financial plan for supporting the employees and the local community **to minimize the potential harms** of closing down.*

2. *When a company has a corporate policy, which involves responsibilities that might be contradictory to the company's profitability goals, it should when faced with such a contradiction:*

a) *Assess with the help of a thorough analysis the consequences of decisions on all **legitimate involved parties**.*

b) *Assess the consequences on the company strategy and policy, including its principles.*

c) *Involve affected legitimate involved parties in the analysis and decision making process.*

7. Observations and Conclusion

The case discussion yielded what I would call moral imaginative insight beyond the logic of business by viewing the situation beyond the operative or dominating script at hand. The students grasped the incompleteness and shortcomings of management thinking, not having seen the need to involve the primary stakeholders, the employees in the process. Their recommendations therefore proposed another "imagined" applicable method that could better respond to or even satisfy moral demands by its legitimate stakeholders.

Whether one succeeds in writing a case suitable for discussion in a business ethics class, including provoking perspectives that satisfy the ambition to bring about both a fruitful discussion and moral imagination, is more difficult to say. What one can achieve however is to go beyond conveying theoretical knowledge, training of analytical skills or the application of moral theories. There is nothing wrong with wanting to induce a learning process taking place in a case discussion with "learning about oneself", one's moral sentiments and also finding blind spots in the way one thinks and feels about and deals with others.

Most rewarding for me as case writer and case instructor in a business ethics course was the comment "I did not know that there were so many different and equally morally correct ways of solving this dilemma." Or as another student put it, "I was totally convinced of my point of view and thought I had the best arguments, yet I realized I had not done enough thinking about why my ideas were different and how I could convince my colleagues."

For a teacher of business ethics, the interplay of theoretical knowledge, personal assumptions based on value systems and the dialogue or discussion with others as a process, are crucial in a dynamic learning partnership with students.

The most valuable aspect for a teacher using a case he or she has written is to learn what the students see or do not see in the case and how they make use of the particular situation described to apply moral imagination without neglecting managerial pragmatism. No case discussion is ever the same.

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