Nameless + harmless = blameless: When seemingly irrelevant factors influence judgment of (un)ethical behavior

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ABSTRACT

People often make judgments about the ethicality of others' behaviors and then decide how harshly to punish such behaviors. When they make these judgments and decisions, sometimes the victims of the unethical behavior are identifiable, and sometimes they are not. In addition, in our uncertain world, sometimes an unethical action causes harm, and sometimes it does not. We argue that a rational assessment of ethicality should not depend on the identifiability of the victim of wrongdoing or the actual harm caused if the judge and the decision maker have the same information. Yet in five laboratory studies, we show that these factors have a systematic effect on how people judge the ethicality of the perpetrator of an unethical action. Our studies show that people judge behavior as more unethical when: (1) identifiable vs. unidentifiable victims are involved and (2) the behavior leads to a negative rather than a positive outcome. We also find that people's willingness to punish wrongdoers is consistent with their judgments, and we offer preliminary evidence on how to reduce these biases.

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Introduction

In the unforgiving college admissions race, few people pause to question the common practice of giving preference to the close kin of alumni. This practice of "legacy admissions" has a real impact on college applicants. When a legacy is moved from below the admissions cutoff to above the cutoff, some other unidentified victim is probably transferred in the opposite direction. However, the fact that such victims are difficult to identify dampens any outrage that might be associated with such discriminatory practices. Now imagine that an applicant finds out that a legacy admit narrowly prevented her from being admitted to a certain college, but that she, the victim, was accepted by a school she preferred more. Again, few would be outraged by the rejection. Now imagine that the victim knew that a legacy admit kept her from being admitted to her first-choice school. In this case, the legacy admissions process would likely seem outrageous to many outsiders. Yet we argue that the corruption of an unbiased admissions process occurred equally in each of these cases.[1]

Why does not greater uproar occur in the United States over the discriminatory practice of legacy admits at most universities? While we recognize the complexity of college admission decisions,

we suggest that outrage might be minimal due to the lack of identifiability of the victims of legacy admissions and lack of clarity concerning the outcomes of this unethical behavior. In this paper, we examine the effects of these two factors—the identifiability of the victim of wrongdoing and the outcomes of wrongdoing—on the harshness of people's judgments of others' unethical behavior. In the legacy admission context and beyond, we expect decision-makers to overlook others' unethical behavior when such behavior hurts unknown victims and/or when it does not lead to negative consequences. Extending prior work in behavioral ethics and decision making, our research examines the effects of the identifiability of victims (Kogut & Ritov, 2005a, 2005b; Small & Loewenstein, 2003, 2005) and the effects of outcome information (Baron & Hershey, 1988) in ethical contexts.

The outcome bias in the realm of ethics

Do people perceive instances of the same unethical behavior differently, and worthy of different punishment, if it has different outcomes? From a rational perspective, when we are judging the quality of someone's decision and have the same information available to us as the decision-maker does, our evaluation of the decision and the decision-making process should not depend upon a randomly determined outcome (Bazerman & Moore, 2008; Hastie & Dawes, 2001). Of course, outcome information could matter when it provides information about intentionality, culpability, or characteristics of the actor's personality, prior behavior, and

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[1] We are assuming that the nature of outcome information of legacy admission processes does not provide different information of what the decision maker knew at the time of the decision. We will discuss this assumption in more detail later on.

motives (Hershey & Baron, 1992; Mazzocco, Alicke, & Davis, 2004). But when outcome information lacks any additional information about the actor, the quality of an actor's decision-making should not be judged differently depending on outcome.

Contrary to these rational prescriptions, previous research has shown that people exhibit an outcome bias: they judge the quality of decisions and the competence of decision-makers based on the outcomes of their decisions (Allison, Mackie, & Messick, 1996; Baron & Hershey, 1988; Marshall & Mowen, 1993; Mazzocco et al., 2004). This robust bias has been demonstrated in the realms of medicine, management, and corporate decision-making.

Investigating the influence of outcome information on ethical judgment, Gino, Moore, and Bazerman (2009) found that the same ethically questionable behaviors are judged as more unethical when they result in a negative outcome rather than a positive one. Using hypothetical scenarios, Gino et al. (2009) showed that even those who previously judged and rated the ethicality of a person's behavior changed their opinions after learning the outcome of the described behavior. Their results are consistent with prior work demonstrating that the severity of outcomes influences attributions (e.g., blame and responsibility attributions) independent of other characteristics of the event under consideration (e.g., Lowe & Medway, 1976; Walster, 1966), and also consistent with research on the effects of outcome severity on children's moral judgments (e.g., Berg-Cross, 1975; Leon, 1982; Stokes & Leary, 1984; Surber, 1977). For instance, Berg-Cross (1975) show that first-grade children judge behaviors that resulted in large consequences (someone goes blind in one eye) as more deserving of punishment than acts that resulted in small consequences (someone has a sore eye).

Due to the differences in judgment identified by these previous studies, we can expect people to judge an identical behavior differently depending on its outcome. In particular, we hypothesize that:

Hypothesis 1. People evaluate others' questionable behavior as more unethical when it leads to negative consequences than when it leads to positive consequences (even when outcome provides no additional information about the actor).

As philosophers and psychologists have suggested (e.g., Goldberg, Lerner, & Tetlock, 1999; North, 1987), people commonly use the judgments they form about the ethicality of an actor's behavior as inputs when determining whether the wrongdoer deserves punishment. Similarly, consumer behavior research has demonstrated that consumers' perceptions of a company's ethical behavior have a significant effect on their willingness to reward the firm by purchasing its products (e.g., Creyer & Ross, 1997). Consistent with this stream of research, Jones (1991) proposed an ethical decision-making model in which decision makers systematically evaluate the "intensity" of the essential features of the moral issue at hand when facing decisions in the ethical realm. The perceived overall intensity of a moral issue then determines the decision maker's judgment, intent, and subsequent behavior (Jones, 1991).

The present research examines the effects of the outcome information on both ethical judgments and decisions to punish others for their unethical acts. We acknowledge that outcome information is commonly used in the legal doctrine as a base for forming judgments of blame and punishments. As noted by Gino et al. (2009), the law believes that outcomes are relevant to rational punishment decisions.

The legal perspective is based on teleological and consequentialist theories in philosophy, wherein outcome information is critical in determining whether a behavior is morally wrong and unethical and the decision to punish is closely linked to the evaluation of morally harmful behavior (Bok, 1979). The law goes beyond considerations of fairness; criminal law, for instance, embodies the dual goals of retribution and deterrence. In fact,

Kaplow and Shavell (2002) argue that legal policies should be assessed solely on their effects on individual welfare, with no weight given to conceptions of fairness. Thus, while courts use outcome information in forming judgments, both deontological philosophy and rational decision-making perspectives identify an error when the same unethical behavior is judged differently based on consequence. In this paper, we consider situations in which outcome information is logically irrelevant to the evaluation of (un)ethical behaviors. We focus on the process by which individuals arrive at ethical judgments and suggest that irrelevant information might bias this process. Thus, we hypothesize that:

Hypothesis 2. People will be more likely to punish others' questionable behavior when it leads to negative consequences than when it leads to positive consequences.

The identifiable victim effect

The "identifiable victim effect" refers to the tendency of people to be far more concerned about and show more sympathy toward identifiable victims than statistical victims. Simply telling people that a specific victim exists increases caring, even when no personalizing information about the victim is available (Small & Loewenstein, 2003). Loewenstein, Small, and Strnad (2006) offer two types of reasons to explain why people show more concern for identified victims than for statistical victims (Jenni & Loewenstein, 1997; Kogut & Ritov, 2005a): affect-based and cognitive-based reasons.

On the affective level, identification decreases the social distance between victim and responder (Small & Loewenstein, 2005). Specifically, the same situation triggers greater sympathy when it involves just one identified victim than when it involves many non-identifiable victims – a singularity effect. Identification with a singular victim thus changes the affective reactions responders show to victims (Kogut & Ritov, 2005b). On the cognitive level, Friedrich et al. (1999) also emphasize the singularity of victims to explain the identifiable victim effect. They use the term "psychophysical numbing" to refer to the tendency for people to value lives less as the number of lives at risk increases. Because of this "drop in the bucket" effect, the authors argue that identifying a singular victim leads people to believe that the single life affected represents a disproportionate percentage of the total threat or problem. Independent of the increased sympathy and decreased psychological distance that identification may evoke, this framing argument implies that one victim creates a more salient cognitive reference frame than many individuals.

Small and Loewenstein (2005) examined situations in which people feel they have been treated unfairly. Defining wrongdoing as "behaving in a self-interested way" instead of being cooperative, the researchers manipulated whether the wrongdoer is identified or unidentified and found that people are more punitive toward identified wrongdoers than toward equivalent, but unidentified, wrongdoers. They also found that contributors react with greater anger toward identified non-contributors than toward unidentified non-contributors. In comparison, the present research investigates situations in which people observe unethical behavior that directly affects others but not themselves and manipulates whether the *victim* of wrongdoing, rather than the perpetrator of unethicality, is identified or unidentified. We predict that:

Hypothesis 3. People will judge greater unethicality when victims of wrongdoing are identified than when they are not.

Hypothesis 4. People will be more likely to punish others' questionable behavior when victims of wrongdoing are identified than when they are not.

Reducing biases in ethical judgment and behavior

We are also interested in identifying strategies to reduce the discrepancies predicted in Hypotheses 1–4. We focus on the influence on judgment of making the issues of identifiability and outcomes transparent through joint evaluation. As compared to separate evaluation, which refers to settings in which only one alternative is considered, joint evaluation refers to contexts in which multiple examples or alternatives are considered at the same time (Bazerman, Loewenstein, & White, 1992). Joint evaluation allows decision-makers to assess various attributes simultaneously and gives them more information about the decision at hand than does separate evaluation. As a result, joint evaluation leads to more reflective, reason-based choices (Bazerman, Tenbrunsel, & Wade-Benzoni, 1998; Hsee, Blount, Loewenstein, & Bazerman, 1999) than separate evaluation, which is more likely to be influenced by affective factors and to result in more intuitive judgments (Bazerman et al., 1998).

In our setting, we predict that effects of the identifiability of the victim of wrongdoing will be present under conditions favoring intuition (separate evaluation). However, if the comparison between identifiable and unidentifiable victims of wrongdoing is made transparent under conditions favoring direct comparison and more reflective judgment (joint evaluation), the increase in perception of unethicality when there is an identified victim will be reduced. Specifically, we hypothesize that:

Hypothesis 5. Joint evaluation will reduce the effect of the identifiability of the victim on ethical judgment.

We predict a similar effect of joint evaluation in reducing the impact of outcome information on ethical judgment. Specifically, we expect the effects of the outcome bias to be present under conditions favoring intuition (separate evaluation). However, under conditions favoring direct comparison and more reflective judgment (joint evaluation), the effects of the outcome bias on ethical judgments will be reduced. We thus hypothesize that:

Hypothesis 6. Joint evaluation will reduce the effect of outcome information on ethical judgment.

Overview of the present research

Five studies were conducted to test our hypotheses. Studies 1 and 2 use hypothetical scenarios and investigate the effects of identifiability of the victim of wrongdoing and the valence of outcome bias on ethical judgment, thus testing Hypotheses 1 and 3. Study 3 introduces a behavioral measure by examining whether the same factors influence decisions to punish those doing wrong, thus testing Hypotheses 2 and 4. Finally, Studies 4 and 5 use hypothetical scenarios and manipulate whether another's behavior is evaluated separately or jointly, thus testing Hypotheses 5 and 6.

Study 1

Study 1 tests the hypotheses that people judge greater unethicality when a negative (rather than a positive) outcome results from the same unethical behavior (main effect of outcome information) and that people judge greater unethicality when victims are identifiable rather than statistical (i.e., main effect of identifiability of the victim of wrongdoing).

Methods

Participants

Two-hundred-three individuals (116 male, 87 female) participated in the study in exchange for $5. Most participants (93%) were students from local universities in Pittsburgh. The average age of participants was 23 ($SD = 4.31$).

Design and procedure

The study employed a 2 (outcome information: positive vs. negative) × 2 (victim: unidentified vs. identified) between-subjects design. The study consisted of a survey that participants completed on paper. The survey included two scenarios varied across the four experimental conditions. At the beginning of the study, participants were randomly assigned to one of the four experimental conditions. Participants in each condition were asked to read two scenarios, one after the other. One scenario described the behavior of a doctor, and the other described the behavior of a real estate agent. The order in which scenarios were presented to participants was counterbalanced. Because all participants read both scenarios, the two scenarios were used as a repeated measure in the analyses presented below.

Manipulations

All four conditions included descriptions of the same elements of an arguably unethical action. Thus, objectively, the ethicality of the action was held constant across conditions. The *outcome information* was varied in the last line of the scenarios (as reported in brackets below). *Identifiability* was varied simply by including or not including a gender-neutral name for the victim of the action. In the unidentifiable condition, the victim was simply referred to as "the patient" (in the scenario describing the behavior of a doctor) or "the person" (in the scenario describing the behavior of a real estate agent). In the identified name condition, the victim was referred to using a gender-neutral name (i.e., Sam, Chris). The scenario describing the behavior of a doctor read[2]:

> (A person/Chris) has a 2-week history of low-back pain with worrisome symptoms. Although the pain has improved somewhat with bed rest, ibuprofen, and a heating pad at night, (this person/Chris) is concerned because such back pain has been persistent. (This person/Chris) is otherwise healthy and has no bone tenderness. Preoccupied, (this person/Chris) wants to see an orthopedic surgeon or get a magnetic resonance imaging scan. While practice guidelines in this case recommend referral to a specialist or imaging studies because of the likelihood of serious disease, the physician (this person/Chris) contacted only recommended some rest, an easier and less costly solution for the physician compared to the alternatives. The physician was indeed interested in saving money and time for himself. Doctors are compensated such that they collect a monthly fee for each patient and pay the costs of specialists out of their fee. (The patient's/Chris's) symptoms improve over time and after only a couple of weeks, [the pain completely disappears/the patient is in need of back surgery, which will very likely result in long-term effects such as pain and loss of mobility].

The other scenario described the behavior of a real estate agent:

> (A person/Sam) has been hired for a new job and needs to move to a new city. (This person/Sam) has been looking at houses over the last 2 weeks and decided to make an offer on a house selling for $350,000. Concerned with potential problems this house might have, (this person/Sam) wants to have the house inspected before buying it. During the house search, (this person/Sam) received recommendations from a real estate agent who works on a commission of 6% paid by the seller of the prop-

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[2] In the scenarios, victim identification appears in parentheses () and outcome information appears in brackets [].

erty. While practice guidelines in this case recommend referral to a list of three thorough non-biased inspectors, the real estate agent only recommended one home inspector, who the agent knows quite well. This creates a potential conflict of interest as the appraiser knows that the real estate agent would be disappointed if the appraiser found significant problems that endangered the transaction. And the agent is expecting a $21,000 commission. Indeed, the real estate agent views a thorough and non-biased home inspection as a threat to the sales commission. The appraiser finds no significant problem. (The person/Sam) ends up buying the house for $350,000, and [lives there happily for 5 years with no house problem/experiences serious problems with flooding in the basement soon after. (The person/Sam) invests $20,000 to finish the basement, which is flooded and destroyed a few months later].

After reading each scenario, participants indicated the extent to which they found the behavior of the doctor or the real estate agent to be unethical using a 7-point scale (ranging from 1 = very ethical, to 7 = very unethical).

Pilot studies

We conducted a pilot study with a non-overlapping group of participants ($N = 40$; $M_{age} = 21$, $SD = 0.79$). We asked participants to read the two scenarios without outcome information and to indicate, after reading each of them, how wrong, unethical, and unfair the described behavior was on a nine-point scale with labels for the extreme points and the midpoint. So, for instance, the scale asking about unethicality ranged from 1 = very ethical, to 9 = very unethical with midpoint 5 = neither ethical nor unethical. We counterbalanced the order in which the two scenarios were presented to participants. The three measures used loaded onto the same construct (Cronbach's alphas = .92 and .91). The results indicated that participants considered the behavior described in each scenario as unethical ($M = 7.16$ for scenario 1, and $M = 7.14$ for scenario 2; both values are significantly greater than the midpoint 5, $t[39] = 8.89$ and 10.63, both $ps < .001$).

We also conducted a second pilot study ($N = 34$; $M_{age} = 21$, $SD = 1.49$) in which participant read the two scenarios with no outcome information. The scenarios referred to the victim of wrongdoing with a first name or with no name (as in the main study, for the identifiability manipulation). After each scenario, participants indicated how identifiable the victim of wrongdoing was on a nine-point scale (ranging from 1 = not at all, to 9 = very much). As expected, participants considered the identified victim as more identifiable than the unidentified victim (6.71 vs. 3.24, $F[1, 32] = 79.93$, $p < .001$, $\eta^2 = .71$). Taken together, these results suggest that the manipulations for identifiability and outcome information used in Study 1 were effective.

Results

Hypotheses 1 and 3 predict that people's judgments of unethicality will vary based on the type of outcome observed, as well as the identifiability of the victim, respectively. We tested these hypotheses by comparing participants' ratings for unethicality across conditions.

We conducted a repeated-measure analysis of variance (ANOVA) using outcome information and identifiability of the victim as between-subjects factors and participants' ratings for unethicality as the dependent variable (repeated-measure on scenario). This analysis revealed a significant main effect for outcome information, $F(1, 198) = 119$, $p < .001$, $\eta^2 = .38$; the rating for unethicality was higher in the negative-outcome condition ($M = 6.20$, $SD = 0.98$) than in the positive-outcome condition ($M = 4.46$, $SD = 1.27$). The main effect for identifiability of the victim was also

significant, $F(1, 198) = 5.34$, $p < .05$, $\eta^2 = .03$; the rating for unethicality was lower in the unidentified victim condition ($M = 5.14$, $SD = 1.46$) than in the identified victim condition ($M = 5.54$, $SD = 1.37$). The interaction was not significant ($p = .41$). We found no other significant result.

Discussion

The results of our first study provide support for Hypotheses 1 and 3. People evaluated others' questionable behavior as more unethical when it led to negative consequences and when victims of wrongdoing were identified.

Study 2

Our first study shows that outcome information and the identifiability of the victim influence people's assessment of ethicality. While victim identifiability should be irrelevant to judgments of ethicality, we cannot make the same argument for the use of outcome information. Outcomes can contain information about decision making; Study 1 participants may have used outcome information to infer how much knowledge the decision maker had at the time of the decision. To rule out this rational explanation of how outcomes can provide information about the ability of the actor, we conducted a second study in which decision makers do not have any inside knowledge about the chances of a positive or negative outcome—where chance determines outcomes independent of the ability of the decision maker.

Study 2 also asks participants to evaluate the ethicality of a given behavior both with and without outcome information and employs multiple-item measures for unethicality.

Methods

Participants

Ninety-three college students (49 male, 44 female) from the University of North Carolina at Chapel Hill participated in the study in exchange for $5. The average age of participants was 21 ($SD = 1.35$).

Design and procedure

The study employed a 2 (outcome information: positive vs. negative) × 2 (victim of wrongdoing: identified vs. not) between-subjects design. Participants were told that they would participate in different studies that had been combined for convenience. Participants were randomly assigned to one of four experimental conditions. As their first task, participants read the following scenario:

Imagine you were to judge the behavior of participants in a study we recently conducted. The study examines the behavior of participants in a given role (Player A) who are asked to make allocation decisions of resources between themselves and participants in another role in the same study (Player B). Participants in the study were randomly assigned to one of two roles (Player A or Player B) and randomly paired up so that we had one Player A and one Player B in each dyad. Player A is asked to consider the following two options:

Option (1) Player A receives $5, and Player B receives $5.

Option (2) Player A receives $6, and the experimenter will toss a fair coin. If heads, then Player B will receive $5. If tails, then Player B will receive nothing. Imagine Player A chose the second option, namely the one in which Player A receives $6 and Player B's payoff is determined by a coin toss.

Participants across conditions read this same scenario and then indicated the extent to which Player A's behavior was unfair, unethical, and wrong on a seven-point scale (from 1 = not unethical at all/not unfair at all/not wrong at all to 7 = very unethical/unfair/wrong).

As their second task, participants completed a 5-min filler task, which we used so that they would not make explicit comparisons when given information about outcome and identifiability of the victim.

Finally, as their third task, participants read the same scenario but with additional information that varied across conditions. In the unidentified victim/negative-outcome condition, the additional information read, "Player A chose Option 2. The experimenter tossed the coin, and the result of the coin toss was tails. Player A thus received $6, and Player B received no payment for the study." In the unidentified victim/positive-outcome condition, the scenario ended, "Player A chose Option 1. The experimenter tossed the coin, and the result of the coin toss was heads. Player A thus received $6, and Player B received $5 for the study." In the identified victim conditions, we preceded the same sentence by saying "In one of the sessions, the role of Player B was played by a student named Sam" and then referred to Player B as Sam in the sentence with the outcome information. After reading the scenario, participants rated the unethicality, unfairness, and wrongness of Player A's behavior using a seven-point scale as before.

Results

For both the first and third task, we averaged participants' answers across the three measures of unethicality because they were highly correlated with one another (both Cronbach's alphas >.80). When participants had no information about outcomes or identifiability of the victim of wrongdoing (task 1), they rated Player A's behavior as similarly unethical across conditions (with average ratings varying from 4.14 to 4.30). A 2 × 2 ANOVA using the composite measure for unethicality collected in task 1 revealed no significant effect for our manipulations ($Fs < 1$) nor for their interaction ($F < 1$). Yet, when outcome information was revealed (task 3), Player A's behavior was rated as more unethical when the outcome was negative ($M = 5.81$, $SD = 0.91$) than when it was positive ($M = 3.60$, $SD = 1.24$; $F[1, 89] = 101$, $p < .001$, $\eta^2 = .53$), and it was also rated as more unethical when the victim of wrongdoing was identified ($M = 4.94$, $SD = 1.56$) than when it was not ($M = 4.44$, $SD = 1.52$; $F[1, 89] = 5.48$, $p < .03$, $\eta^2 = .06$). The interaction between outcome information and identifiability of the victim was again insignificant ($F < 1$).

We also conducted a repeated-measure ANOVA with our manipulations as a between-subject factor to test whether participants' rating for unethicality significantly changed when they gained information about the outcome and the identifiability of the victim. The ratings did indeed differ ($F[1, 89] = 12.21$, $p < .01$, $\eta^2 = .12$). More importantly, both the interaction between the within-subjects factor and outcome information ($F[1, 89] = 66.03$, $p < .001$, $\eta^2 = .43$) and the interaction between the within-subjects factor and identifiability information ($F[1, 89] = 4.27$, $p < .05$, $\eta^2 = .05$) were significant. We also found a significant effect of outcome information ($F[1, 89] = 22.69$, $p < .001$, $\eta^2 = .20$). These results are depicted in Fig. 1.

Discussion

The results of our second study provide further evidence for Hypotheses 1 and 3. Questionable behaviors were rated as more unethical when they led to negative consequences and when victims of wrongdoing were identified—even when the outcome provides no relevant information about the ability of the decision
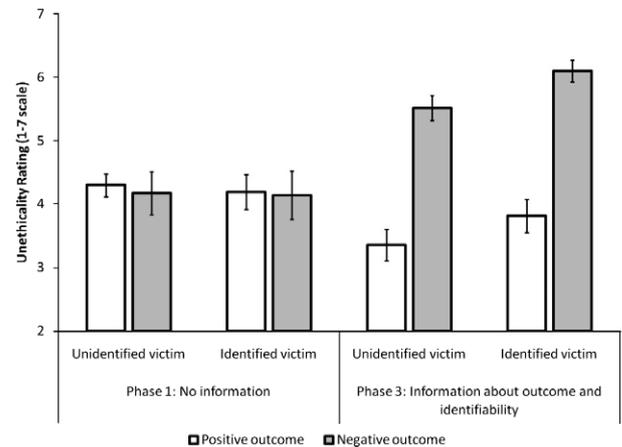
Fig. 1. Mean rating for unethicality by condition (Study 2). Error bars represent standard errors. Phase 1 refers to the first part of the study where participants read the scenario with no information about the outcome of the decision described and no information about victim identification. Phase 3 refers to the third part of the study in which participants read the same scenario again—this time with additional information about outcome and/or victim that varied across conditions.

maker. The decision judge and decision maker had the same information in this study, suggesting that the process that led to ethical judgments might be biased by irrelevant information related to the identifiability of the victim of wrongdoing and to information about the outcome of unethical actions.

Study 3

Study 3 examined the influence of outcome information and identifiability of the victim of wrongdoing on individuals' behaviors toward the perpetrator of ethically questionable actions. In this study, participants observed the behavior of another participant and had the opportunity to punish this participant by reducing his/her payoff.

Methods

Participants

Two-hundred twenty-three individuals (127 male, 96 female) participated in the study for monetary compensation. The average age of participants was 23 ($SD = 2.93$). Most participants (79%) were students from local universities in Pittsburgh.

Procedure

Groups made up of 3–6 people participated in the study, which was conducted on computers. Participants waited in the hall outside the laboratory prior to the study and completed the study in separate cubicles with computers. The experiment was described to participants as a study of monetary allocation decisions. They were told that they would be randomly assigned to a role and that, depending on their role, they would decide how to allocate money to themselves or to other participants in a different role. Participants were assigned one of six different roles: Player A, Player B, and one of four types of Player C. In the sessions involving three participants, participants were randomly assigned to one of three roles: Player A, Player B, and one type of Player C. When more than three participants were part of the session, they were randomly assigned to the role of Player A, Player B, and different types of Player C.

Participants in the role of Player A chose payments for themselves and another participant (Player B) in the same study. Specifically, Player As had to choose between the following two options:

"(1) You receive $5, and Player B receives $5," or "(2) You receive $6, and the experimenter will toss a fair coin. If heads, then Player B will receive $5. If tails, then the other participant will receive nothing." Participants in the role of Player B were truthfully told that their payment would depend upon the choice of Player A. Participants in the role of Player A and Player B were matched so that Player A's decisions did determine Player B's payoff in the study.[3]

For participants playing the role of Player C, we manipulated both identifiability and outcome information. The instructions on the computer screen informed participants of their role (Player C) and told them that they would receive $5 for their participation. Identifiability was manipulated solely by referring to Player B with a gender-neutral name (Chris) in the identifiable condition. Player Cs received the following instructions for the game: "In this study, you will observe the actions of two randomly chosen participants in the same study – Player A and [Player B/Chris]. Player A will be asked to consider the following two options: Option (1) A receives $5, and [Player B/Chris] receives $5. Option (2) A receives $6, and the experimenter will toss a fair coin. If heads, then [Player B/Chris] will receive $5. If tails, then [Player B/Chris] will receive nothing." Player Cs then waited for Player A to make her/his decision. This waiting time was actually fictitious, as the choice of Player A that Player Cs saw on their computer screen was determined based on their role (remember that there were four possible roles for Player C depending on the experimental condition). We used this fictitious waiting time to lead Player Cs to believe they were actually playing with other participants in the study assigned to the role of Player A and Player B. In reality, they were not. Indeed, Player Cs were always told that Player A chose the second option, namely the one in which Player A receives $6.

Outcome information was manipulated by changing the information participants in the role of Player C received about the coin toss. In the negative-outcome information condition, participants were told, "Player A has chosen Option 2. The experimenter has tossed the coin, and the result of the coin toss was tails. Player A will thus receive $6, and [Player B/Chris] will receive no payment for this study." In the positive-outcome information condition, participants instead were told, "Player A has chosen Option 1. The experimenter has tossed the coin, and the result of the coin toss was heads. Player A will thus receive $6, and [Player B/Chris] will also receive $5 for this study."

In all conditions, after receiving this information, participants in the role of Player C were given the option to punish Player A. However, punishing Player A created costs for Player C. This task is an adaptation of the punishment game created by Eckel and Grossman (1996), which in turn was a variation of a dictator game (Roth, 1995). A task similar to our game was used by Dana, Weber, and Kuang (2007). In our game, Player C faced the following choices:

o Pay $0.00, and thus reduce Player A's payoff by $0.00
o Pay $0.05, and thus reduce Player A's payoff by $0.25
o Pay $0.10, and thus reduce Player A's payoff by $0.50
o Pay $0.15, and thus reduce Player A's payoff by $0.75
o Pay $0.20, and thus reduce Player A's payoff by $1.00
o Pay $0.25, and thus reduce Player A's payoff by $1.25

Participants in the role of Player C were told that the money they decided to pay to reduce Player A's payoff would be deducted from their $5 participation fee at the end of the study. Participants were paid based on their decisions. After the Money Allocation Study was over, participants were informed that they would also be paid $2 for filling out a short, unrelated questionnaire. We included this final questionnaire to make sure each participant received at least $2 for their participation; depending on the decisions of participants in the role of Player A, participants in the role of Player B could have ended up with nothing. While the study only lasted about 10 min, we wanted all participants to leave the lab with a positive payoff.

While we were only interested in the decisions of participants in the role of Player C, we included Player A and Player B so that the game would be perceived as realistic. Indeed, participants in the role of Player C saw that other participants were part of the session as they were waiting outside the laboratory for the experiment to start.

Results

For our analyses, we were interested in the decisions made by participants in the role of Player C ($N = 145$).[4] We first examined their punishment decisions. We used the punishment level as the dependent variable in a 2 (outcome information) × 2 (identifiability) ANOVA. To punish Player A, participants were willing to reduce their own payoff by a higher amount in the negative-outcome ($M = 0.11$, $SD = 0.11$) than in the positive-outcome condition ($M = 0.03$, $SD = 0.06$), $F(1, 141) = 36.81$, $p < .001$, $\eta^2 = .21$. This result supports Hypothesis 2, which predicted that people would be more likely to punish others' questionable behavior when it leads to negative consequences than when it leads to positive consequences. The main effect for identifiability of the victim was also significant, $F(1, 141) = 8.99$, $p < .01$, $\eta^2 = .06$: the punishment level was lower in the unidentified victim ($M = 0.05$, $SD = 0.08$) than in the identified victim condition ($M = 0.09$, $SD = 0.11$). This result supports Hypothesis 4, which predicted that the same questionable behavior would lead to higher levels of punishment when the victim of wrongdoing is identified than when he/she is not. The outcome information and identifiability interaction was not significant, $F(1, 141) = 1.52$, $p = .22$, $\eta^2 = .01$.

We examined whether outcome information and identifiability of the victim influence the decision to punish or not, without regard for the amount of the punishment. We created a dummy variable that was equal to 1 if participants in the role of Player C decided to punish Player A by reducing their own payoff and 0 if they decided not to punish Player A. The number of responses for each of these two sets of choices by condition is reported in Table 1. The valence of the outcome information influenced the percentage of responses in favor of the choice of punishing vs. not punishing, χ^2 ($N = 145$) $= 26.56$, $p < .001$. Identifiability also influenced the percentage of responses in favor of punishing vs. not punishing, χ^2 ($N = 145$) $= 3.88$, $p < .05$.

Discussion

Our third study provides further support for the effects of identifiability of the victim of wrongdoing and the nature of outcome information in the ethical realm by showing that these factors influence not only ethical judgment (as in Studies 1 and 2), but also the decision to punish others who do wrong. Specifically, the results of Study 3 show that people are more likely to punish others for their unfair behavior toward a third party when the unfair behavior produced negative rather than positive consequences and when the third party being harmed is identified rather than unidentified. These finding are particularly interesting in light of

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[3] In addition to this short task, participants in the role of Player A or Player B also filled out a survey unrelated to the study after their allocation decisions and received $3 for this task.

[4] The remaining 78 participants played the role of Player A ($N = 39$) or Player B ($N = 39$). As for the 145 participants in the role of Player C, 34 were assigned to the negative/identified victim condition, 38 were assigned to the negative/unidentified victim condition, 34 were assigned to the positive/identified victim condition, and 39 were assigned to the positive/unidentified victim condition.

Table 1
Percentage of participants in the role of Player C who chose to punish Player A's unfair behavior by condition, Study 3.

	Identifiable victim (%)	Unidentifiable victim (%)
Negative outcome	71	53
Positive outcome	26	13

the fact that punishing others in this study meant not only reducing the payoff of the perpetrator of wrongdoing, but also reducing one's own payoff.

Study 4

Study 4 examined ways to reduce the effects of identifiability of the victim of wrongdoing demonstrated in our first three studies. Specifically, we looked at the influence of identifiability of the victim of wrongdoing under two distinct conditions: separate evaluation and joint evaluation. While the former condition favors intuitive judgment, the latter favors more reflective, analytical judgment.

We used the joint/separate manipulation of Bazerman, Loewenstein and White (1992) to investigate the effects of identifiability of the victim of wrongdoing in a setting in which the outcome of the wrongdoer's decisions was negative. We predicted that effects of identifiability of the victim of wrongdoing would be present under conditions favoring intuition (separate evaluation). However, if the comparison between identifiable and unidentifiable victims of wrongdoing is made transparent under conditions favoring direct comparison and more reflective judgment (joint evaluation), the effect of identifiability should be reduced. Placing the scenarios next to each other allows us to determine whether participants knowingly evaluate unethical behavior differently based on whether the victim of wrongdoing is identified or not.

Methods

We recruited participants from various locations in the city of Pittsburgh to complete one of three versions of a survey in exchange for a candy bar. A total of 150 participants, evenly divided across the three conditions, completed the survey. All participants read scenarios with a negative outcome. Participants were randomly assigned to one of three conditions: *separate evaluation – negative outcome/identified victim* (SE-NI), *separate evaluation – negative outcome/unidentified victim* (SE-NU), or *joint evaluation* (JE). In the SE-NU condition, participants read the doctor scenario used in Study 1 in which the outcome was negative (i.e., symptoms worsen over time and will very likely result in long-term effects such as pain and loss of mobility) and the patient was unidentified ("a/this person"); in the SE-NI condition, the name of the patient (Sam) replaced the phrase "a/this person" and the outcome was again negative.

All participants in the SE-NI and SE-NU conditions were then asked to rate how unethical the actions of the described doctor were on a nine-point scale anchored by *Not at all Unethical* (-4) and *Very Unethical* ($+4$). In the JE condition, participants read both the scenario used in the SE-NI condition and the scenario used in the SE-NU condition. We counterbalanced the order in which the scenarios were presented to the participants in the JE condition. Both scenarios were presented on the same page. After reading each of the two scenarios, participants in the JE condition were asked to rate how unethical the actions of the described doctor were on a nine-point scale anchored by *Not at all Unethical* (-4) and *Very Unethical* ($+4$).

Results

Given the nature of our design, we used *t*-tests to compare ratings provided by participants in the SE-NI condition to the ratings provided by participants in the SE-NU condition. For the JE condition, we instead used a within-subject ANOVA because the same participants provided ratings twice. Finally, we compared the ratings participants provided in the SE conditions with the ratings provided by participants in the JE condition for the corresponding scenario using *t*-tests.

We first compared the ratings of unethicality between the two separate evaluation conditions (SE-NI and SE-NU). Participants rated the behavior of the doctor as significantly more unethical when the victim of wrongdoing was identified ($M = 2.98$, $SD = 1.13$) than when the victim was unidentified ($M = 1.38$, $SD = 2.32$), $t(98) = 4.38$, $p < .001$.

Next, we compared the ratings of unethicality for the behavior described in the two scenarios participants received in the joint-evaluation condition. These participants rated the behavior of the doctor as more unethical when the victim of wrongdoing was identified ($M = 2.28$, $SD = 1.98$) than when the victim was unidentified ($M = 1.98$, $SD = 2.39$), $F(1, 49) = 6.04$, $p = .02$, $\eta^2 = .11$. When the victim of wrongdoing was identified, ratings of unethicality dropped significantly, from 2.98 in the separate evaluation condition to 2.28 in the joint-evaluation condition, $t(98) = 2.17$, $p < .05$. By contrast, when the victim of wrongdoing was unidentified, ratings of unethicality did not significantly differ between the separate evaluation and the joint-evaluation conditions ($t[98] = 1.28$, $p = .21$). Essentially, the joint-evaluation condition led the ethicality judgments of participants to converge across the two identifiability conditions. Taken together, these results provide support for Hypothesis 5, which predicted that joint evaluation would reduce the effect of identifiability of the victim on ethical judgment.

We also computed the difference in unethicality scores between the identified victim and unidentified victim scenarios in both the joint and separate evaluation conditions.[5] The difference score was significantly lower in the joint-evaluation condition than in the separate evaluation condition (0.30 vs. 1.60, $t[98] = -3.15$, $p = .002$). Note also that 82% of the participants in the joint-evaluation condition reported the same ratings for the unethicality of the described behavior in the identified victim and unidentified victim conditions.

Discussion

The results of our fourth study support our hypothesis that, when evaluated separately, unethical behavior that harms an identified person would be considered more unethical than unethical behavior that harms an unidentified person. Yet, as our results show, when these two behaviors are evaluated jointly, the bias is reduced. These results suggest that the impact of identifiability can be reduced by using joint evaluation to make the transparency of the identification issue clear.

Study 5

Study 5 investigated the influence of the valence of the outcome bias when the victim of wrongdoing is identified under two distinct conditions, namely separate evaluation and joint evaluation. Similar to our predictions for Study 4, in Study 5 we expect the effects of the outcome bias to be present under conditions favoring intuition (separate evaluation). However, under conditions favor-

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[5] In the case of the two separate evaluation conditions, we used a random matching procedure to match the answers to the two scenarios of SE-NI and SE-NU. We repeated this analysis 20 times with a different match each time. The nature and significance of the results did not change.

ing direct comparison and more reflective judgment (joint evaluation), we expect the effects of the outcome bias on ethical judgments to be reduced.

Methods

As in Study 4, we recruited participants from various locations in the city of Pittsburgh to complete one of three versions of a survey in exchange for a candy bar. A total of 148 participants completed the survey. Participants were randomly assigned to one of three conditions: *separate evaluation – negative outcome/identified victim* (SE-NI), *separate evaluation – positive outcome/identified victim* (SE-PI), or *joint evaluation* (JE). In the SE-NI condition, participants read the doctor scenario used in the identified victim conditions of Study 1 with the only difference being that here the patient was called Sam. The last sentence of the scenario read,

Sam's symptoms worsen over time and after only a couple of weeks, Sam is in need of back surgery, which will very likely result in long-term effects such as pain and loss of mobility. [Sam's symptoms improve over time and after only a couple of weeks, the pain completely disappears.]

In the SE-PI condition, participants read the same scenario but this time the last sentence was substituted with the text in brackets.

All participants were then asked to rate how unethical the actions of the described doctor were on a nine-point scale anchored by *Not at all Unethical* (−4) and *Very Unethical* (+4). In the JE condition, participants read both the scenario used in the SE-NI condition and the scenario used in the SE-PI condition. As in Study 3, we counterbalanced the order in which the scenarios were presented to participants in the joint-evaluation condition. After reading both scenarios, participants were asked to rate how unethical the actions of the described doctor were on a nine-point scale anchored by *Not at all Unethical* (−4) and *Very Unethical* (+4).

Results

We first compared the ratings of unethicality in the two separate evaluation conditions. Respondents rated the behavior of the doctor toward an identified victim as significantly more unethical when it resulted in a negative outcome ($M = 3.08$, $SD = 0.95$) than when it resulted in a positive outcome ($M = 0.76$, $SD = 2.45$), $t(97) = 6.20$, $p < .001$.

Next, we compared ratings of unethicality for the behavior described in the two scenarios that participants received in the joint-evaluation condition. These participants rated the behavior of the doctor as more unethical when it resulted in a negative outcome ($M = 1.93$, $SD = 2.24$) than when it resulted in a positive outcome ($M = 1.27$, $SD = 2.38$), $F(1, 44) = 6.67$, $p = .01$, $\eta^2 = .13$.

When the outcome of the doctor's behavior was negative, ratings of unethicality dropped significantly, from 3.08 in the separate evaluation condition to 1.93 in the joint-evaluation condition, $t(94) = 3.25$, $p = .002$. By contrast, when the outcome of the doctor's behavior was positive, ratings of unethicality did not significantly differ between the separate evaluation and the joint-evaluation conditions ($t(95) < 1$, $p = .36$). Again, the joint-evaluation condition led to less bias, leading the ethicality judgments across the two outcome conditions to converge. Taken together, these results support Hypothesis 6, which predicted that joint evaluation would reduce the effect of outcome information on ethical judgments.

As in Study 4, we conducted additional analyses to further investigate the influence of the separate and joint evaluation of a wrongdoer's unethicality in the case of a negative vs. positive out-

come for the wrongdoer's behavior. We computed the difference in unethicality scores between the negative and positive outcome scenarios in both the joint and the separate evaluation.[6] The difference score was significantly lower in the joint-evaluation condition than in the separate evaluation condition ($t[96] = −3.63$, $p < .001$). Note also that 65% of the participants in the joint-evaluation condition reported the same ratings for the unethicality of the described behavior in the negative and positive-outcome conditions.

Discussion

The results of Study 5 provide evidence for the robustness of the outcome bias in ethical realms. Consistent with our predictions, the valence of outcome information influences ethical judgments when separate evaluation is used. This effect is reduced, but not eliminated, in the case of joint evaluation.

General discussion

Our research systematically investigated how normatively irrelevant factors that should not enter into an individual's decision-making process nonetheless impact judgments of ethical behavior. Recent studies by Gino et al. (2009) demonstrated that people tend to base their ethical judgments of others' behavior on the type of consequences that results. The current research contributes to this stream of work by showing that outcome information influences not only one's judgments of others' ethicality, but also one's own decision to punish others for their unethical behavior, even if this punishment is costly to oneself.

Our work also contributes to the stream of research on identifiable victims. People show far more concern and sympathy toward identifiable victims than statistical victims—even when identification provides absolutely no additional information. Our research builds on these findings to show that people tend to consider others' questionable behaviors to be more unethical when the victim of wrongdoing is identified vs. unidentified and that people also punish wrongdoers more harshly in the former case than in the latter. In addition to providing evidence for both the outcome bias and identifiability of the victim effects in the ethical realm, our studies make a broader contribution by suggesting a possible solution for these biases. We demonstrate that these biases can be reduced when the judgment process is approached using joint evaluation.

We see several directions for future research that builds on the present work. First, further work could investigate other strategies or tools that decision makers could use to reduce and possibly even eliminate the biases demonstrated here. For instance, future studies could include conditions in which the description and evaluation phases happen sequentially in the case of joint evaluation. That is, both outcomes (and the behaviors that lead to them) first would be described or presented to the decision maker, who would then evaluate them by comparing one to the other directly. Another potentially interesting direction for future research would be to investigate whether the same effects would hold in a setting (possibly a real-world setting) with repeated interactions, where judges who can punish others have ongoing relationships with wrongdoers or with the victims of wrongdoing.

Our results also have significant practical implications. The effects demonstrated in our studies might lead people to blame others too harshly for making sensible decisions that have unlucky outcomes or that harm a clearly identifiable victim. Our results

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[6] As in Study 4, also in this case, we used a random matching procedure to match the answers to the two scenarios of SE-NI and SE-PI. We repeated this analysis 20 times with a different match each time. The nature and significance of the results did not change.

could also explain the slow reactions people tend to have when observing others' unethical behavior. Too often, we let others' ethically questionable decisions slide over a period of time until they result in negative consequences, even when such consequences can be easily predicted (Bazerman & Watkins, 2004). Similarly, we tend to tolerate others' ethically questionable decisions until we have identified a clear victim. Thus, the present research has implications for both organizations and public institutions. As our studies show, decision-makers should anticipate being judged less for the ethics of their actions than for the consequences of those actions and the identifiability of the victim of their wrongdoing. No matter how ethical the decisions of a manager or a company may be, judges (such as customers, citizens, or employees) might punish that manager or company if things go wrong or if victims are clearly identified.

Rawls (1971) proposed that fairness should be assessed under a "veil of ignorance"—that is, we ideally should judge a situation without knowing the role we ourselves play in it. Extending this standard to our context, we should not only ignore the role we play in a situation, but should also ignore normatively irrelevant information concerning the identifiability of the victim of wrongdoing and the outcomes that result from ethically questionable practices. Yet, we have shown empirically that the effects of outcome and victim information are potentially large. Under US law, the difference between attempted murder and first-degree murder leads to very different punishments—all hinging upon a difference of outcome even in the face of identical action and intention. In college admissions offices, identifying the victims of policies that favor certain candidates' applications over those of others may lead to more damage in the ethicality of the decision than retribution. The decision to withhold or disclose information about the victims and outcomes of a behavior can be a powerful determinant of the ethical perception of that behavior—a decision that should not be overlooked as trivial.

Conclusion

Most of us regularly make ethical judgments about others' behavior and make decisions regarding whether or not to punish others' unethical behavior. Although many of us know how we would *rationally* like to behave in these situations, little prior research has explored whether we commit systematic errors in the process of evaluating others' unethical behavior and acting upon it. The present research focused on the effects of both the outcome valence of unethical acts and the identifiability of the victim of wrongdoing on ethical judgments and decisions to punish unethical behavior. By investigating these factors, we identify conditions under which our ethical judgments and behaviors are biased. In addition, our research considers ways to help decision makers reduce these biases and recognize that nameless plus harmless does not equal blameless.

Acknowledgments

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