BRACEWELL

BLOG POST

Cheating can be so deflating

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The Super Bowl showdown has been set. On the NFC side, the Seattle Starbucks Seahawks recovered from its first-half <u>drunken lemur</u> impersonation to miraculously defeat the Green Bay Packers. The Seahawks <u>rallied to win from the largest deficit in conference title</u> <u>game history</u>, scoring 15 points in 42 seconds and creating yet another <u>crowd-induced</u> <u>earthquake</u>.

Guess which game everyone's talking about?

While <u>this guy</u>probably guessed the Seahawks game, the rest of us know the right answer. The Patriots are the top sports story not because of their dominant on-the-field performance, but rather because they are alleged to have intentionally <u>deflated 11 of their 12 official</u> <u>footballs to make them easier to grip</u>. (It's amazing how much effort goes into how teams get their footballs ready to play. Eli Manning's <u>football preparation routine is incredible</u>, which seems like a lot of work just so he can throw them to the other team.)

First off, there should be an incontrovertible law of the universe that *no one* is allowed to commit an act where it is darn near impossible to write about it without creating double entendres. I mean, seriously. Do you know how hard it is to write about this without making the obvious joke? I can't even write, "the Patriots need to ensure that whoever handles their" aaaaaaauuuuuugggghhhhh.

It's just not fair.

Second, I'll have you know that the media is contractually required to use the term "DeflateGate" because (a) it's a scandal, and (b) it rhymes. Trust me on this.

Third, the NFL should also investigate whether the Patriots used a *properly inflated Vince Wilfork*.

Anyway, let's get back to it. The Patriots were <u>heavily favored to win this game</u>, it was in Foxboro, and the Colts' running backs are slower than <u>David Ortiz after a home run</u>. Moreover, there were <u>42.1 million (!) people</u> in at least 100 countries watching the game since it was one of only two televised that day. By the <u>neck beard of Andrew Luck</u>, why do it?! There is an idea out there that the culture that an organization cultivates plays a huge role in determining the action of the individuals that make up that organization. That is, if the culture is corrupt, then it begins to corrupt the people placed into that culture. So in this case, even though the players on the Patriots turn over by about 20 percent each year, the culture of "winning at all costs" remains ... and causes individuals associated with the team to break the rules. That would be consistent with the Patriots' history of breaking or bending the rules <u>in</u> order to gain a competitive advantage.

It's the same kind of analysis that you can apply to industries that can create huge profit margins by skirting the rules. In the financial services industry, for example, <u>a study showed</u> <u>that "bankers who were reminded of their profession before [a] test were far more</u> <u>likely to be dishonest than those who were not." This is what happened</u>:

The lab test was a simple one: It had participants toss a coin ten times in private and then selfreport their results, with the potential to earn up to \$200 if their outcomes were better than their peers'. (Participants were told in advance of a toss whether "heads" or "tails" would be the winning result.) Thus, the incentive to cheat was strong.

Each bank employee was asked a series of questions before the test began. One half, the control group, were asked questions that were irrelevant to their careers, such as how much television they watch. The other half were asked about their careers in finance, such as where they're employed, what the advantages and disadvantages of a banking career are, and why they decided to be a banker. "By reminding them of their professional role, we put the emphasis on their occupational identity, and that makes the norms that come along with their role more prominent in their behavior."

Indeed. When the bankers in the control group reported their results, just three percent of the coin flips were misrepresented in an effort to get more cash. But among the group of bankers who were asked about their jobs, 16 percent of the coin flips were misrepresented. That group was also significantly more likely to agree with the statement that a person's social status is primarily decided by his or her financial success.

Well, wow. That helps to explain, in many ways, what happened in the financial sector during the economic crisis. In a lending industry largely based on the credit-worthiness of an individual to pay back loans or forfeit collateral, businesses intent on obtaining the "ends" skirted rules and procedures that guided the "means" <u>by lending to anyone who had a pulse</u>. The issue in the financial sector is so acute that groups have even proposed that <u>bankers swear</u> <u>an oath</u> – kind of like the Hippocratic oath – to remind bankers of their moral and social obligations. Really. ("I solemnly swear not to trash the stock market and <u>wreck the economy</u> …"?)

Time and time again you see it, when the incentive to win or profit is so great, conduct that skirts the rules is incentivized. The Patriots. Bankers. <u>Any number of athletes</u>. Prosecutors, who were incentivized to <u>withhold evidence in critical cases</u>. Companies, which were incentivized to corrupt auditors and mislead investors.

The only real way to combat this perverse incentive – no matter what the organization or industry – is through strong leadership. Leadership that prioritizes the means as a way to accept the appropriate ends. Leadership that commits to compliance as an organizational value as

opposed to a necessary evil.

Otherwise, in a pressure-filled environment, values become only so much hot air.