

Brandon Berney

Dr. Barker

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Burdelle's Moral Dilemma

Agrico is a company that provides farm and ranch management services for their customers. Their mission is to provide equity to farmers in need. The company acts as an agent and is able to manage over 350 farms. Agrico's revenues come from market-rate sales of crops and renting out land to farmers. Because of this, Agrico is a cost leadership company.

Agrico is one of the largest farm management companies in the country. Because they buy equity interests in farms and ranches, customers cannot easily "switch" away from Agrico. Given the company's size and valuation at over \$500 million, there is little concern of competing farm management companies. It is cost prohibitive to purchase land and compete with Agrico. In order to sustain their growth, Agrico was looking to introduce new software that will help them perform their job better.

However, Burdelle, the VP of information systems, has ran into a dilemma. Agrico was working with the company AMR to build the software, but Agrico and AMR were in a debate about how to secure the source code in case AMR went bankrupt or otherwise stopped providing support. An employee left their computer open that had the source code, and Burdelle could choose to copy the source code or do nothing.

The two primary stakeholders are Agrico and AMR. Agrico and AMR signed an agreement stating that the source would be placed satisfactorily in escrow but can't agree on what "satisfactory" is. Agrico has an interest in protecting their investment and data. However,

AMR has an interest in protecting their proprietary software and preventing illegal sharing/modification/etc.

If Burdelle chooses to copy the source code from the open computer, Agrico could be in violation of the agreement that they signed with AMR. This breach of agreement could result in bad press. Additionally, AMR could pursue legal actions against Agrico if they were to find that their source code had been copied. If Agrico had ill intentions, then AMR could risk having their software code shared with other parties.

On the positive side for Burdelle, copying the source code would guarantee future support for the software. The primary concern for Agrico is that AMR would stop providing support, go bankrupt, or introduce bugs due to how their software was maintained. Copying the software would allow the company to make their own modifications and enhancement if they were to stop receiving support from AMR.

However, if Burdelle chose to do nothing, Agrico as a company would have to put a lot of trust in AMR. Rogers, the owner of AMR, promised to place tapes of the source code in a bank vault. Because the bank does not specialize in tape storage like other facilities do, there is a greater possibility the tapes could become damaged or destroyed. Agrico also does not have the ability to verify that the source code stored in escrow is the same as the object code they've been provided.

Based on the two options presented and the impacts on the stakeholders, Agrico should ultimately choose to do nothing. Although Agrico would receive a lot of benefits from copying the software, they risk a lot of trouble if they are caught. According to Cash, "copyright laws protect 'intellectual property' such as books and software" (Cash and Fried 233). Copying this

software would be stealing AMR's intellectual property and could be grounds for a lawsuit against the company.

Also, even though Agrico tried to convince AMR that they would sign a non-disclosure agreement, which ensures that "employees who leave the company are not legally able to immediately put the information and knowledge gained on the job to use elsewhere" (Cash and Fried 233), no such agreement was actually created. This means Agrico would have access to the source code without protections in place that prevent them from selling or sharing the source code. Agrico's lawyers may argue that the contract the two companies signed is ambiguous, but there are grounds for legal actions to be taken. As Cash mentions, "ethical concerns, which, if not addressed correctly, may result in disgruntled employees, dissatisfied customers, and lawsuits" (Cash and Fried 231).

Some people, such as the Political Loudmouth, may argue that "Business is neither moral, nor immoral. It is amoral. It exists in a world without morality" (Political Loudmouth). This means that if Agrico as a company chose to steal or copy the source code, there are no morals behind the decision. Ultimately, it is a question of ethics for the company and rather what they did was good or bad.

Copying the source code would protect their investment and allow them to make modifications to the software in the future, which would be good for the company. However, since Burdelle is the one making the decision on whether or not to copy software, we are able to apply morals to this case. Again, when a company performs an action that someone might call immoral, it is important to remember "A key person, typically the owner, has decided to do something 'bad.' The business itself is not responsible, it is just a machine" (Political Loudmouth).

For these reasons, Burdelle should make the moral decision not to copy the source code left behind on the computer. Even though there the possibility of legal consequences is iffy, and there is nothing ‘unethical’ about the business copying the source code, Burdelle is ultimately the one making the decision. Because of this, Burdelle must apply their own set of morals when making the decision. Stealing is considered immoral to many people, and “large corporations cannot be expected to ‘do the right thing’ from the point of view of our society” (Political Loudmouth). Burdelle should step in and ‘do the right thing’ by doing nothing.

Works Cited

Cash and Fried. "Building the Information Age." n.d.
Political Loudmouth. n.d. 23 March 2021. <<https://politicalloudmouth.wordpress.com/why-publicly-traded-corporations-behave-like-sociopaths/>>.