

# Time Thievery

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Eventually we all come to appreciate the most potent fact of all: that our lifetime is finite. And doing so can be momentous. It can stir action from sloth, reunite the estranged, fertilise creativity, and much more. (Would there be religion without knowledge of human finitude?) And yet so much of a lifetime is wasted. This is no great matter if the waste arises from self-chosen idleness. It's your life; you can do with it what you like. But what if the waste is inflicted on you? What if your time—your necessarily limited time—is *stolen* from you?

Time is everyone's most valuable asset. We cannot, obviously, live without it. But more than that, time is a birth right. Despite the well-meaning impositions of parents and teachers, our time is, by rights, ours to do with as we please. We might appreciate, eventually, the benefits of study and labour, but we never lose our yearning for the greatest evolutionary gift of all: freedom and the time to exercise it. It enables us to do what gives our life richness, significance and purpose: time to be with friends and family, time to hike through the bush, time to visit galleries, time to reflect, or whatever.

Time might be an intangible asset, but it is clearly more valuable than any tangible asset. What good is owning a Ferrari if you haven't the time to drive it? Or a Picasso if you haven't the time to admire it? You might be made worse off by having your car stolen. But think of how much more worse off you would be if the time to do what you please was taken from you. Now the theft of a tangible asset—such as a car or a painting—is a moral issue. Who can deny that? But if so, then so must be the theft of an even more valuable asset: time.

Now here is something rather paradoxical. Most of us are rightly aggrieved if a tangible asset of ours is stolen. Yet we let pass with little or no comment the theft of our most valuable asset of all. The theft, say, of our jewellery angers us. We report it to the police and seek compensation from an insurer. But if time is stolen from us—by dawdling motorists blocking the outer lane, by chattering shoppers choking supermarket aisles, by tardy colleagues delaying meetings—we make little noise, if any. And there's the paradox: we seem to put more value on things that are less valuable to us. *Homo economicus* is, perhaps, not as rational as economists make us out to be. We seem to have evolved a culture that happily squanders its most valuable asset. We care little about having our time wasted, and many of us care little about wasting other people's time.

There are, of course, people who do challenge the time wasters, blasting their horns at dawdling road hogs. And good on them. It might not just be an issue of time being stolen (although that's bad enough). There is also the issue of what good could have been done—or harm prevented—in that lost time. Perhaps, in some car in the queue slowing behind the road hog, there is a surgeon rushing to a hospital to commence an urgent life-saving operation. Or someone rushing to be at the bedside of a dying parent before a last breath robs them of a final farewell. Or a courier rushing to deliver a donated organ to a quickly sinking recipient. The possibilities of harm induced by the thoughtless disregard of other people's time are manifold. But for every horn-blower there are legions who seem not to care one whit about the value of time. How many pedestrians activate traffic lights and delay twenty or more motorists by a minute rather than wait a mere 10 seconds for the road to clear and a safe crossing made whatever the colour of the lights? How many of us tolerate the theft of our time while we wait, and wait, and wait to speak to someone at a so-called customer care centre (an oxymoron of the first water)? Or put up each day with the time-consuming swim through that treacherous, weaselly managerial-speak that passes for communication but which does little more than clog the arteries of commerce. We seem to have acquiesced, to have surrendered to those who take our time and make no good of it. We might sense, on occasion, that something we hold dear is being wasted, is

being stolen from us. But the strength of our response, should there be one, is out-balanced by the outrage when our car, artwork or jewellery is stolen.

There is something morally sick in a culture that cares less for time than for jewellery (or cars or any other tangible asset you might think of). The force-field of morality is meant to ensure that living creatures are not made worse off by the actions of others. But by having time stolen from us, we are made worse off (as might others who are dependent on us). We now have less time to do the things that are most valuable to us (visit a dying parent) and possibly less time to help those who might need us (operate on a dying patient). Moreover, the fact that an asset is intangible doesn't mean that a price cannot be put on it. Take, for instance, such intangible assets as goodwill, patents, copyright and licenses. A price can be put on these, and also on time. Your salary is the price you accept for selling some of your time to others. Thus stealing someone's time could equate to the theft of money if that time could have been put to financially productive use.

So time thievery is not merely a dumb waste of finite resources. It is also a moral issue.

Sometimes the moral dimension of our actions is not clear, drowned out by custom, greed, laziness or simple ignorance. It can take much effort, argument and even radicalism to bring a society to see the immorality of hitherto accepted actions or customs. Slavery, animal cruelty and disenfranchisement based on gender were once deemed perfectly acceptable—until an evolution in moral discernment drew out their inherent nastiness. That evolution is still underway, with more and more of our actions and customs coming under the moral microscope for the first time. Perhaps it is time for the theft of time to be considered more seriously: if not legally, then certainly morally.

Could time thievery be brought within the purview of the law? On the face of it, this seems somewhat impractical. Both detection and prosecution are fraught with uncertainty. So perhaps the best we can do is to elevate it into the realm of private rather than public morality, on par with those other moral faults that harm but cannot easily be policed (such as infidelity, parsimony and white-lying). But there could be exceptions, and one in particular is worth exploring for the sheer frustration it is inflicting with gathering force. This is the time thievery that frustrates many of us when we try to learn how to use new products.

Without doubt the relative quantity and quality of product instructions has fallen over the last few decades. When once a comprehensive user guide accompanied every product but the simplest, now we often get nothing more than a flimsy quick start guide, instructions that are scant on details or no instructions at all. Many of the features of smartphones, retail software and digital televisions, for example, remain unhappily unused through the failure of manufacturers to explain clearly, if at all, how they work. Is this creeping attenuation in instructional offerings a legitimate commercial strategy? Or are there countervailing moral considerations?

Consider the following cases:

1. You buy an electric kettle but there is no power cord in the packaging.
2. You buy a portable radio and there are no batteries in the packaging.
3. You buy software and the instructions on how to use it—if they exist at all—do not explain how to use each advertised feature.

In each case, you will not be able to use the product as advertised. Something more is needed. In other words, the product is not fit for purpose *as it is*. In case 1, the omission was no doubt an oversight. A retailer keen to remain in business would freely and ungrudgingly give you a cord. In case 2, the omission was probably intentional. If not used for some time, batteries lose power and are prone to leak. So they are often excluded from products that need them. But in this case, consumer law—grounded in morality—insists that purchasers are made aware beforehand that further expense will be required. This usually takes the form of a prominent marking on the packaging, such as

“Batteries not included”. For consumers have a right to know the true cost of what they are buying: the radio *plus the batteries*. It is a right grounded in the value *Homo sapiens* place on honesty. It is simply dishonest to sell a product for  $\$x$  knowing that the true cost to the purchaser will be  $\$(x + y)$ . And honesty is a fundamental moral expectation, to be dispensed with only in extreme circumstances. If you are unconvinced, consider this parallel: you buy a car from someone for \$4000 not knowing what the seller knows, namely, that another \$4000 will need to be spent on the car to get it drive properly. Has the seller acted honestly in not telling you? Has the seller acted morally?

Now just as the purchaser of a battery-powered radio has to spend more to get the radio to work as advertised, the purchaser of software sold with scant or no instructions will have to spend more to get it to work as advertised. Tangible assets (money for books or internet access) and intangible assets (time) add to the cost of the software just as batteries add to the cost of the radio. The latter calls for a warning on the packaging; why not the former? To generalise: if the seller of the car behaves immorally in not informing you that the car needs more money spent on it to make it properly usable, isn't a company that sells you *any* product knowing, but not revealing, that you will need to spend more to be able to properly use it also acting immorally? So manufacturers have an obligation to clearly label their product packaging so that customers can determine if there are instructions and, if so, whether they cover all the advertised features (and all the features that a customer can reasonably expect in a product of that type). Only then is the true cost of purchase—money and time—estimable by those to whom the product is marketed. To sell a product knowing that customers will need to spend considerable time learning how to use it—through trial and error or forum-trawling—is fine *if customers know that*. If they don't, it is time thievery. It is akin to selling you something for \$10 but taking another \$10 out of your wallet while you're not looking—almost, but not quite. In the case of time thievery, the unnoticed cost is not money (or at least not directly). Rather, it is the opportunity cost of the time that will no longer be yours to use as you please while you learn to use the product (which might equate to money if you could be financially productive during that time). As Benjamin Franklin wrote:

Remember, that time is money. He that can earn ten shillings a day by his labor, and goes abroad, or sits idle, one half of that day, though he spends but six pence during his diversion or idleness, ought not to reckon that the only expense; he has really spent, or rather thrown away, five shillings besides.

A parallel: if you take 12 months leave from a job that pays \$60,000 a year and spend just \$30,000 in that period, your cost of living is not \$30,000. It is \$90,000. Likewise, if the trial and error needed for you to understand how to use a software product consumes five hours of your time, that is five hours you necessarily forgo that could have been put to more valuable uses (including money-making, if that is your preference). Some capacity to improve your life has been taken from you. You have been made worse off. Morality has entered the picture.

It might be retorted that consumers have had it easy in the past and that they have no right to expect any instructions to accompany products. They have had them only by the generosity of manufacturers, and generosity is not a moral obligation. This can be easily challenged, and again through moral reasoning. If a product is complex, its use non-intuitive and it is marketed indiscriminately—as is most retail software—then it is clear that many people will not be able to use it *unaided*. The fact that general intelligence follows a bell curve proves the point. No amount of trial and error is going to help some users. They simply lack the necessary intellectual wherewithal and need to have the product's use explained to them. This makes the indiscriminate sale of software without useful instructions tantamount to selling a product knowing that some items are faulty. For if a purchaser cannot understand how to use the product, *ipso facto* they cannot use it, and, from the perspective of customer utility, this is no different to the product being faulty. The causes might be different, but the outcome is the same: despite money changing hands, the customer cannot use the product as they rightly expected to be able to. Now, selling products knowing that many don't work is

to take money under false pretences. This is morally reprehensible and recognised as such in law. If so, then it is morally reprehensible to sell products knowing that many purchasers will not be able to use them. Thus honesty and fairness impose on manufacturers of complex, non-intuitive products marketed indiscriminately an obligation to provide customers with usable instructions. Morality is on the side of consumers here, not manufacturers. It is time for the law to catch up.

A mind rendered sceptical by the rich history of commercial shenanigans might be forgiven for seeing in this creeping disregard for customers' needs a furtive redistribution of wealth: intangible assets of customers (time) transmuted into the tangible assets of manufacturers (profits). Thus time thievery should be conceived not merely as the product of a moral void between individuals. It can find its way too into the calculus of commerce, swelling bottom lines at a cost to consumers that outweighs any price savings, should any be offered. It is a practice that should send the moral Geiger counter chattering furiously.

I noted earlier that *Homo sapiens* are somewhat casual in their evaluation of the importance of time, so much so that I suspect that the power of the arguments presented here will have dissipated before they have got further than the fourth or fifth neuron in many a reader's mind. Be that as it may. Arguments are not won by ballot. Just as society's erstwhile indifference to gender inequality did not neutralise its immorality, we can only hope that the immorality of time thievery will likewise find its rightful place in the reckoning that motivates private and civil behaviour. Any volunteers to help start a movement?

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