



# THE ABIDING IMPORTANCE OF PROCRASTINATION

## IN GRADING LAW-SCHOOL FINAL EXAMINATIONS

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“IT’S TIME TO GRADE final examinations.” For law professors of a certain age, these are the second most dreaded words in the English language.<sup>1</sup> I have always put off grading until the very last minute, and this essay presents a mathematical proof that my decades old practice is the optimal approach to this dreaded task. I derive my mathematical proof from widely accepted principles of economics and quantum mechanics. First, “*in the long run we are all dead.*”<sup>2</sup> Second, “the ‘old one’ [God] is . . . playing at dice” with the universe.<sup>3</sup>

A long time ago in a state far, far away, my father explained to me that life insurance is essentially a bet. The insured wagers that the insured will die, and the insurer wagers against death. When the insured dies, the insured wins the bet.

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<sup>1</sup> Of course, the most dreaded words are, “cash bar.”

<sup>2</sup> John Maynard Keynes, *A Tract on Monetary Reform* (London: MacMillan, 1924) 80 (emphasis in original).

<sup>3</sup> Albert Einstein to Max Born, Dec. 4, 1926, reprinted in Max Born, *The Born-Einstein Letters* (London: MacMillan, 1971) 90-91 (emphasis in original). Of course, I have deleted the word not from my quotation. For some reason, Einstein is almost uniformly misquoted. In his letter, he used neither the word God nor the word universe.

I have always applied the cold logic of my father's insurance wager to grading final examinations. In wagering, context is everything. Grading is boring, onerous, and time consuming. It has no intrinsic value for the professor. Our lives would be better if we did not have to grade examinations. At the same time, we are mortal.<sup>4</sup> It follows that on any given day I may die. When I receive my students' papers in early December and grades are not due for a month, there is a probability that I may die during that month. If I die before I grade the papers, I will have had a marginally happier life than if I die after I have finished grading. The worst-case scenario is that I spend the last day of my life grading examinations.

By procrastinating, I enhance the possibility of having a richer, happier, and more rewarding life. It's like the life insurance wager. If I die this coming December before I begin grading in January, I will win my bet.

Some of my colleagues insist upon grading their examinations as early as possible so that the dreaded task will not hang over them throughout December. They simply are not rational wealth maximizers. Theirs is an anal-retentive world. Tversky and Kahneman would or would have been amused and not surprised.<sup>5</sup>

Other colleagues condemn me as being selfish. If I die leaving a stack of ungraded finals (Oh happy thought!), who will grade the papers? Most of us in our heart of hearts can name a few colleagues that we would love to see saddled with this obnoxious task. Anticipatory *schadenfreude*, however, is not the answer. The specific professors that we would love to see grading our papers probably would weasel out of the job. More significantly, what if one of our friends is saddled with the unwelcome task. Who wishes to inflict gratuitous pain on their friends? There is a more satisfactory answer to the problem of the examinations left behind. Simply give all the students a grade of pass or perhaps, which is essentially the same thing, give them their GPA.

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<sup>4</sup> As the traditional syllogism goes, "All law professors are mortal; I am a law professor; therefore, I am mortal."

<sup>5</sup> See Michael Lewis, *The Undoing Project: A Friendship That Changed Our Minds* (New York: Norton, 2017) (excellent biographical description of David Kahneman and Amos Tversky's relentless assault on the notion of human rationality).

## *The Abiding Importance of Procrastination*

*Quod Erat Demonstrandum:* Based upon the mathematics of probability, procrastination has a clear and demonstrable upside and no downside. To be sure, the upside is marginal, but we live our lives at the margin.

