

Ethical Issues and Case Studies

Case studies are a standard method of teaching for philosophy, law, and to a lesser extent, the social sciences. A computer ethics case study is a specific story, usually based on true events, which presents an ethical dilemma. *Dilemmas* are problems which do not have solutions based in facts; rather they call upon *principles*, general rules of morality and ethics which guide actions. Philosophical ethics is the study of these principles.

The goal of philosophical ethics is not finding “correct solutions”, it is identifying clear thinking and the implications of clear thinking for behavior. Clear thinking is a *meta-skill*, a skill that applies to almost all other skills. Like other skills, clear thinking requires learning, practice, discipline, and direct experience. We learn clear thinking when faced with relevant personal decisions that do not have clean answers but do have direct consequences. The objective of philosophical debate is *not* to change a person’s mind, rather it is to identify the assumptions underlying a position and the quality of thought which supports that position.

You may already have noticed that discussions of philosophical ethics are *branchy*, the ideas lead quickly from one to another and it is easy to lose the focus of conversation. One role of the case study is to help focus discussion. Philosophical ethics is also *deep*, answers and intentions are difficult to identify, often requiring extensive analysis, self-observation, and argumentation.

For these reasons, this class will enforce some ground rules for group discussion and for written assignments and commentary.

Ground Rules for Discussion of Computer Ethics

1. The reasoning which leads to an opinion is important, not the opinion itself.
2. When discussing a case study, do not change the circumstances or the story of the study.
3. Apply structured techniques to formulate and clarify thinking.
4. Identify the ethical component of an issue (what part of a dilemma requires an ethical approach?)
5. Identify the Computer Science component of an issue (what part of the ethical component is unique to Computer Science?)
6. Distinguish between positive arguments (do this) and negative arguments (don’t do this).
7. Distinguish between personal and professional ethical positions.
8. Distinguish between the requirements of logic, of law, of institutional policy, of personal preference, of social convention, and of ethics.

Philosophical Systems

A *philosophical system* is a consistent set of values and criteria that apply to a wide variety of issues. We have examined four systems:

Idealism

Reality is basically spirit or idea. Knowledge is gained through the mind. Value is measured by conformity to ideals.

Realism

Reality is basically matter or the physical universe. Knowledge is gained through the senses. Value is measured through conformity to nature.

Pragmatism

Reality is process or experience. Knowledge is gained through trial and error. Value is measured by what is of practical benefit to society.

Existentialism

Reality is self-defined. Knowledge is gained through personal decision making. Value is measured by responsible individual choice.

Ethical Systems

An *ethical system* is a consistent set of beliefs which can be applied to a wide variety of ethical dilemmas. Some widely argued systems include:

Virtue

Ethical behavior is that which develops moral virtues. Focus on attitudes, intentions, and character traits which enable humans to develop their potential.

Utilitarian (Bentham, Mill)

Ethical choices produce the greatest good and the least harm. Focus on consequences of actions.

Human Rights (Kant)

Human rights are interests and activities which we must respect and protect as a civilization. Every person has the fundamental right to be respected and to be treated as

a free and equal rational agent. This implies other rights, such as privacy, truth, and freedom from harm. Focus on actions which do not use people as instruments toward a goal.

Fairness/Justice (Aristotle)

Treat people consistently the same, unless there are morally relevant differences between them. Focus on fairness and consistency of actions to distribute benefits and burdens among all members of a group.

Common Good (Plato, Aristotle, Cicero)

Society is a community joined in a shared pursuit of common goals. The good of the individual is inextricably bound to the good of the group. Ethics advances the common good.

Some Techniques of Ethical Analysis

Ethical analysis tries to identify the participating parties, their respective stakes and responsibilities, and the essential issues. After this groundwork is in place, various ethical guidelines (rules of conduct) and principles (philosophical systems) are applied to the problem. Most discussion revolves around understanding the *intent* of the guidelines and principles when applied to a particular case.

When addressing an ethical dilemma or a case study, try to answer these questions:

1. What is the ethical issue? Is something morally wrong? Is the issue deeper than personal or institutional concerns?
2. Who are the involved parties (the people and the organizations affected)? Who has an important stake in resolving the issue?
3. What are the obligations between the parties?

Fidelity	(a promise or a contract)
Reparation	(making up for a wrong)
Gratitude	(thanking for a right)
Justice	(comparative merit)
Beneficence	(helping a deserving person)
Non-injury	(avoiding harm)
4. What would each party consider to be the preferred course of action?
5. Generate several courses of action (at least three, two extremes and a compromise). Identify broad filters which might constrain the choice of options for action.
6. For any choice of action, determine the impact on each of the parties:

- a. Are any ethical guidelines violated?
 - b. What are the best-case and worst-case outcomes? Are they tolerable?
 - c. What benefits and harm will be caused? Does the good outweigh the possible harm?
 - d. Are there rules or principles which invalidate a choice of actions?
 - e. List the consequences, risks, and costs.
7. Choose a course of action, and identify which philosophical system it aligns with:
- Ethical egoism
 - Utilitarianism
 - Human Rights
 - Ethical Relativism
 - Fairness and social justice
 - Common good
8. Which alternative actions produce the best overall consequences? Which respect the moral rights and dignity of all parties? Which treat people fairly, without favoritism or discrimination? Which advance the common good? Which develop moral values? Which recognize the cultural context? Which are the most consistent?
9. Do different ethical systems generate different courses of action? Are there issues to which none of the ethical systems apply? Which system is most compelling for resolving the particular issue?
10. Finally make a clear and definitive decision about a course of action. Suggest policy changes which will prevent the problem from recurring.

Summary of Ethical Analysis

1. Specify the FACTS.
2. Define the DILEMMA.
3. Identify the PARTIES and their interests.
4. Clarify the VALUES and PRINCIPLES at stake.
5. Formulate the possible ACTIONS.
6. Identify the potential CONSEQUENCES.
7. Make a clear DECISION.