

WEEK-1

BASICS: MORALS, ETHICS, POLICIES & LAWS

(Philosophical Theories and Interpretations)

Learning Expectations

<https://tinyurl.com/csm265class>

Syllabus Summary

- **Policy** is the outlines of what a government /Company is going to do and what it can achieve for the society as a whole. “Policy” also means what a

STRAND 1: Ethical Knowledge Area	3 weeks
STRANT 2: Legal Knowledge Area	3-weeks
STRAND 3: Computing Knowledge Area	3 weeks
STRANT 4 Ethics Research Practice	2 Weeks

The Difference between Morals, Ethics and Laws

- **Morals** are ones personal beliefs about right and wrong.
- **Ethics** describes standards or codes of behaviour expected of an individual by a group (*nation, organization, profession, fraternity*) of which an individual belongs.

For example, the ethics of the law profession demands that defence attorneys defend an accused client to the best of their ability, even if they know that the client is guilty of the most heinous and morally objectionable crime one could imagine.

- **Policy** is the outlines of what a government /Company is going to do and what it can achieve for the society as a whole. “Policy” also means what a government/company does not intend to do
- **Law** is a **system of rules** that tell us what we can and cannot do. Policies lead to enacting of laws for a nation.

MORALS: The philosophical view:

- A moral claim evaluates the rightness or wrongness of an action or a person's character. For example, “Lying is wrong” claims the act of lying is wrong, while “One shouldn’t be lazy” claims a character trait (i.e., laziness) is wrong.
- LGBT: This is a moral (Right or Wrong) debate?
- Moral acts conform to what an **individual** believes to be the right thing to do.

ETHICS: The philosophical view:

- According to M. J. Quinn, **ethics** is the **philosophical study of morality**, a rational examination into people's moral beliefs and behaviour.
- Ethics may also be defined as a set of moral values or principles that govern the conduct of an **individual** or **group**.
- Ethics refers to the principle of right and wrong that can be used by individuals as free moral agents to make choices to guide their behaviour.

LAWS: The philosophical view:

- **Jean Jacques Rousseau** explains in the Social Contract, or Principles of Political Right: LAW is the rules members of a society create to balance the individual rights to self-determination against needs of society.
- Laws are enforced by a set of institutions (police, courts, law-making bodies e.g. parliament).
- Laws are rules that mandate or prohibit certain behaviour; they are drawn from ethics, which define socially acceptable behaviours.

ETHICS & LAWS: The Difference

- The key difference between laws and ethics is that laws carry the **authority of a governing body**, and ethics is based on a common fraternity.
- Ethics in turn are based on cultural *values*: the fixed moral attitudes or customs of a particular group.
- Some ethical standards are universal. For example, **murder, theft, assault, and arson** are actions that deviate from ethical and legal codes throughout the world.
 - (Mores - civilization, society, tradition, custom, way of life, background, ethnicity)

Types of Law

- **Civil law** comprises a wide variety of laws that govern a nation or state and deal with the **relationships and conflicts between organizational entities and people**
- **Criminal law** addresses **activities and conduct harmful to society**, and is actively **enforced by the state**.
- Law can also be categorized as private or public.
- **Private law** encompasses family law, commercial law, and labour law, and regulates the relationship between individuals and organizations.
- **Public law** regulates the structure and administration of government agencies and their relationships with citizens, employees, and other governments. Public law includes criminal, administrative, and constitutional law.

Computer law

- In most countries there is a considerable body of law that can apply to computer professionals -
 - Contract law.
 - Intellectual property law.
 - Data protection law.
 - Computer misuse law.
 - Computer evidence.

Contract law.

- The ownership of intellectual property of something you developed depends very much on your role when you developed it.
- The key phrase is *“I did it in the course of my employment”* - if you develop something in the course of your employment the ownership generally belongs to your employer.
- If you do something as a contractor, invariably the ownership belongs to you - you have not been employed; you have been brought in and contracted to develop something.

Policies in the Workplace

Organizational Liability and the Need for Counsel

- What if an organization does not demand or even encourage strong ethical behaviour from its employees? What if an organization does not behave ethically?
- Even if there is no breach of criminal law, there can still be liability.
- Liability is the legal obligation of an entity that extends beyond criminal or contract law;
- It includes the legal obligation to make restitution, or to compensate for wrongs committed.

- The bottom line is that if an employee, acting with or without the authorization of the employer, performs an illegal or unethical act that causes some degree of harm, the employer can be held **financially liable** for that action.
- An organization increases its liability if it refuses to take measures known as **due care**.
- **Due care standards** are met when an organization makes sure that every employee knows what is **acceptable** or **unacceptable** behaviour, and knows the consequences of illegal or unethical actions.

- **Due diligence** requires that an organization make a valid effort to protect others and continually maintains this level of effort.
- Given the Internet's global reach, those who could be injured or wronged by an organization's employees could be anywhere in the world.

- Under some legal systems for example, a court can assert its authority over an individual or organization if it can establish jurisdiction -
 - that is, the court's right to hear a case if a wrong is committed in its territory or involves its citizenry.
- This is sometimes referred to as long arm jurisdiction - the long arm of the law extending across the country or around the world to draw an accused individual into its court systems.
- Trying a case in the injured party's home area is usually favourable to the injured party

Policy Versus Law

- Within an organization, information technology professionals help maintain security via the establishment and enforcement of policies.
- These policies - **guidelines that describe acceptable and unacceptable employee behaviours in the workplace** - function as organizational laws, complete with penalties, judicial practices, and sanctions to require compliance.
- Because these policies function as laws, they must be crafted and implemented with the same care to ensure that they are complete, appropriate, and fairly applied to everyone in the workplace.

- The difference between a policy and a law, however, is that ignorance of a policy is an acceptable defence.
- Thus, for a policy to become enforceable, it must meet the following five criteria:
 - Dissemination (distribution)
 - Review (reading)
 - Comprehension (understanding)
 - Compliance (agreement)
 - Uniform enforcement

- Dissemination (distribution)-The organization must be able to demonstrate that the relevant policy has been made readily available for review by the employee. Common dissemination techniques include hard copy and electronic distribution.
- Review (reading)-The organization must be able to demonstrate that it disseminated the document in an intelligible form, including versions for illiterate, non-English reading, and reading-impaired employees. Common techniques include recordings of the policy in English and alternate languages.

- Comprehension (understanding)-The organization must be able to demonstrate that the employee understood the requirements and content of the policy. Common techniques include quizzes and other assessments.
- Compliance (agreement)-The organization must be able to demonstrate that the employee agreed to comply with the policy through act or affirmation. Common techniques include logon banners, which require a specification (mouse click or keystroke) to acknowledge agreement, or a signed document clearly indicating the employee has read, understood, and agreed to comply with the policy.

- Uniform enforcement - The organization must be able to demonstrate that the policy has been uniformly enforced, regardless of employee status or assignment.
- Only when all of these conditions are met can an organization penalize employees who violate the policy without fear of legal retribution.

Morality: Group short Task-15-min

-Identify any key issue that has attracted IT Professional debate in society (Add more topics to below list). Describe the positions (for or against) articulated by some members of the Global society.

-Discuss the morals (Rights and Wrongs) of the identified issue. Specify the context of your moral choices (Religious, Cultural, Human Dignity, Belief or Philosophy, etc.)

- Sex Doll technology (*Dutch Wife*)
- Black-Hat Hacking
- Human Tracking systems (CCTV etc)
- Virus and Antivirus development
- Denial of Service Attack on market competitor systems
- Social media (Facebook, WhatsApp, Instagram)
- Network Interception
- Databases (issue: data Modification and Fabrication)

THANK YOU