

Case Based Report 1

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Chapter 1

Case 1: Free Software

1.1 Section 1

1.1.1 Describe Moral Agents Involved

This case revolves around three moral agents. “Screen Keyboard Inc.” (SKI) is the creator of the proprietary, and expensive software “ScreenMouse.” The University, who has created Free and Open Source (FROS) software offering the same features: “KeyMouse”. And all disabled peoples who stand to benefit from access to such software and whose quality of life could be improved.

1.1.2 Identify the Moral Aspects

Of the many aspects that are involved, we shall focus only on a selection.

Discrimination: SKI has priced their software extremely high. Theyre taking advantage of two facts. First, insurance will likely cover the cost. Second, the value of being able to use a computer, and complete tasks which an abled bodied people can, is high. Their business model directly targets an audience who is covered by health care insurance, and they are taking advantage of peoples who are in need.

Monopolization: Allowing one company to control the market results in the products and prices of the market being set at the discretion of the company. In this case SKI does not want to be undermined by a free software alternative. However if there were no alternative to “ScreenMouse”, the price and new features being added would be up to the company, being a company they would act primarily to achieve their own capitalist goals. FROS allows for the rapid addition of features, and customizations. However FROS has its downsides, usually in the customer support. Issues are tracked, and feedback is constantly monitored to improve the product for the next release, but you cannot phone a representative when it doesnt work. This feature is often worth the extra cost, and the

availability of FROS keeps the proprietary software fees lower.

1.1.3 State Ethical Implications

The availability of FROS forces SKI to rethink their business plan. Considering how long Ski took to develop “ScreenMouse”, their targeted audience and pricing strategies, they could be slow to adapt to this new competitor. Ultimately, they could go bankrupt, resulting in a loss of jobs and money for those involved with SKI. However, allowing SKI control over this market restricts the options of disabled peoples. The marketing strategies in place at SKI add strain on the Health Care and Insurance industries. Whether public, private or tiered health insurance will cover the costs does not allow SKI the right to raise the price arbitrarily high. There are added costs to being disabled: physically, mentally and monetary. The more corporate greed tries to take advantage of peoples in need the more unaffordable their lives become; adding to the obstacles they already must overcome.

State Choices & Consequences

There exist two options:

1. Allow FROS & competition. The competition could be other FROS projects or paid software. The benefit to the other products available on the market is lower prices. Companies competing for business would increasingly add features and having the FROS alternatives insures that the software remains accessible to everyone, regardless of financial means. The open source would allow for continued development and increased level of customization, further improving the lives of the users.
2. Allow SKI a monopoly. This restricts innovation to the business plan of SKI, allowing them to set the prices, decide the features and reap all of the financial benefits. This

model helps a smaller population, and adds strain on the disabled population and the support systems in place, which SKI expects to pay for the software.

1.2 Section 2

1.2.1 Outline of Kantian Ethics

Kantian ethics focuses on the action itself and not consequences of action. One formulation is “one ought to respect human beings as such and not used them as mere instruments for one’s purpose”. The Kantian view regards each human life as valuable, and deserving of respect. The central point revolves around actions being able to scale universally without causing a contradiction. Actions are not taken based on feelings or because of a reward outcome (Utility), rather actions are taken because of ones duty.

1.2.2 Example of Kantian Ethics

If I disagree with a person, I should kill them. This example cannot be scaled universally. Aside from giving very little value to human life, if this were morally acceptable, everyone who has been disagreed with would end up being killed. Eventually the human race would kill itself off.

1.3 Section 3

1.3.1 Kantian Ethics

Is the company SKI respecting the disabled? Or is SKI taking advantage of the disabled and using their need as a means to make large financial gains? Kant states Act as to treat humanity, whether in thine own person or in that of any other, in every case as an end withal, never as a means only. Clearly, SKI is treating the disabled as means. If we try to

universalize SKI's business plan, it becomes impossible and thus breaks down supporting arguments for a monopoly.

1.3.2 ACM & Software Engineering Code of Ethics

From ACM code of ethics CoE, section 1.1 “Contribute to society and human well being.” By restricting access to a technology that would change improve the live of disabled peoples we are not contributing to the well being of humanity. ACM section 1.4 “Be fair and take action not to discriminate.” This suggests that the software should have been accessible in the first place, but that is out of the scope of this case study. This point is important because SKI is discriminating when they set the price so high. From Software Engineering CoE 1.07: “Consider issues of physical disabilities, allocations of resources, economic disadvantage and other factors that can diminish access to the benefits of the software” is very much applicable to this case. And Finally 1.08 “Be encouraged to volunteer professional skills to a good cause and contribute to public education concerning the discipline.” The FROS project is a good cause, and FROS software is not really free, it is made possible by sponsors, donations and volunteers.

1.3.3 Other problems & compromise

There is the risk that SKI will go out of business; however, careful re-evaluation, re-planning and a change in strategy can prevent this. Plenty of software markets where dozens FROS and cheap alternatives are still dominated by licensed proprietary products.

1.3.4 Prevention

Companies should expect competition, and they should also be prepared for be under cut. I believe we should not allow patents to get in the way of the development of society. Give

credit where credit is due but do not restrict innovation.

Chapter 2

Case 2: Software Licensing

2.1 Section 2

2.1.1 Describe Moral Agents Involved

Again this case involves three moral agents, the thief, the witness and the victim. Netscape Communications Corporation, the company who created the proprietary Internet browser Netscape Navigator, is the victim. It is their product being distributed illegally, and their profits the revenues taking the cut. The worker at SciTech Contracting Services is the witness, they have discovered that the thief; Lakeside Industries, is not paying Netscape licensing fees.

2.1.2 Identify the Moral Aspects

The main moral aspect in this situation is stealing. Someone, in this case a Netscape is loosing their property and the money they are entitled to. There exists a side issue of whether or not to get involved. The witness will likely loose their contract and relationship with Lakeside Industries.

2.1.3 State Ethical Implications

The worker contracted to Lakeside is likely in a position governed by a code of ethics and practising policies. They as a witness should report the crime being committed by Lakeside. However, Netscape is a large international corporation. Lakeside could be one of SciTech's biggest contracts. Reporting Lakeside could in fact ruin the relationship with SciTech Contracting and jeopardize future contracts.

2.1.4 State Choices & Consequences

The worker could make one of two choices: report Lakeside (whistle blow) or let it slide. Reporting Lakeside results in an uncertain future; Lakeside could admit it was in error and pay the licensing fees, or they could decide not to and cut off future relations with SciTech. The option of letting it slide is to look the other way. The result is the worker not becoming more involved in the situation, and SciTech-Lakeside relations likely strengthening. The worker however, has already installed software illegally on Lakesides behalf, and this is likely punishable by local or federal law.

2.2 Section 2

2.2.1 Outline of Kantian Ethics

Again we shall use Kantian ethics focusing on the actions, not end result. Some details are discussed in the previous case, the benefit here is the Kantian view regards individuals as equal and the central point of actions being able to scale universally without causing a contradiction.

2.2.2 Example of Kantian Ethics

I want something, so I should steal it from someone who has it. Allowing stealing to be accepted as a universal law, would lead to no one having anything that is ones own. Personal property rights would not be able to exist. Working for money would no be possible because contracts need not be followed.

2.3 Section 3

2.3.1 Applying Kantian Ethics

Once we categorize property license violations as a form of stealing, we can clearly see Kantian ethics does not look at the end result, but the act itself, and allowing thievery cannot be universalized. Allowing one to steal would lead to not paying for goods and services used or acquired. Not reporting the wrongdoing by Lakeside could eventually result in Lakeside not paying SciTech purely because Lakeside decides what services they wish to pay for.

2.3.2 ACM & Software Engineering Code of Ethics

Being a rather textbook example, this case falls under a number of ACM and Software Engineering CoE policies; we shall only list a selection. From the ACM CoE: 1.2 “avoid harm to others”, 1.3 “be honest and trustworthy”, 1.5 “Honour property rights including copyrights and patents”. From the Software Engineering CoE: 1.01 “Accept full responsibility for one’s work”, 2.02 “Not knowingly use software that is retained illegally or unethically.” The last point can immediately be applied to this situation. The second last “Accept full responsibility” could imply that once our witness has seen the act, he is responsible for knowing his involvement in a crime and reporting it.

2.3.3 Other problems & compromise

If this result upsets Lakeside, the relationship between Lakeside and SciTech could be tarnished. We are unaware of the monetary value of the contract, and what percentage of SciTech’s revenue the contract accounts for. This could result in the loss of two businesses. Lakeside after legal fees and penalties are paid, and SciTech who could be putting their

largest customer out of business.

2.3.4 Prevention

Companies must realize that stealing software from software companies is equivalent to another company physically stealing from themselves. Our economic and global communities would not be able to exist with thievery being accepted. In recent years, the media has addressed this issue.