

Term Paper Proposal

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CSC 300: Professional Responsibilities

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Abstract

In November 2010, Wikileaks.org began slowly releasing 251,287 diplomatic cables from the United States of America. [9] Since then some companies and governments have attacked the organization because they are sharing this information. Wikileaks uses BitTorrent, a protocol written by Bram Cohen in 2001, to make sure their information is distributed internationally.

On the 17th of April, 2009, Peter Sunde, Fredrik Neij, Gottfrid Svartholm and Carl Lundstrm of The Pirate Bay were all found guilty “for promoting the copyright infringement of others” and sentenced to serve one year in prison and pay a fine of \$3.5 million. [11] Their website, the Pirate Bay, uses software they wrote to collect “torrent files” for a wide variety of content.

Since 2004, BitTorrent Inc., a company formed by Cohen, has maintained the BitTorrent protocol, continued to build clients and promote people to use their system. Is the building of BitTorrent (and other information distribution systems), an ethical pursuit?

1 Facts

1. Music, books, movies, pictures, and architecture are all copyrighted under United States Law. [6]
2. United States Copyright law only affects works published in the USA or made by US citizens [7]
3. According to Swedish Law, promoting others to break the law is illegal – not true, what about US?
4. – something about the content of the sites,
5. – something from the SE code

2 Research Question

Is the building and maintenance of BitTorrent (and other information distribution systems), an ethical pursuit?

3 Extant arguments

It is ethical to allow others to modify our devices without our consent:

- Being able to remotely disable programs is critical to the security of end users. [?]
[?]
- The ability to remotely disable functionality is important to company security. [?]

It is not ethical to allow others to modify our devices without our consent:

- Disabling functionality on devices is "unfair and deceptive business practice..." [?]
- Disabling "malicious" software is too broad; "malicious" is ill-defined and can be taken to mean many things. [?]
- Disabling software and/or functionality can hurt the advancement of certain scientific fields in some cases. [?]

4 Applicable analytic principles

- Professionals should "disclose to appropriate persons or authorities any actual or potential danger...associated with software or related documents." [5]

- They must also "be fair and avoid deception in all statements, particularly public ones, concerning software or related documents, *methods* and tools." [5]
- It is ethical to "respect the privacy of those who will be affected by (the) software." [5]
- Professionals should "Be accurate in stating the characteristics of software on which they work, avoiding not only false claims but also claims that might reasonably be supposed to be speculative, vacuous, deceptive, misleading, or doubtful." [5]
- People should act in a way where their actions are motivated by "good willed" intentions, according to Kant. [3]
- People should act such that it causes the greatest amount of "happiness" for the most people, according to Utilitarian principles. [8]

5 Abstract of Expected Analysis

1. Remotely disabling or removing software/functionality on a device that one does not own is ethically sound, based on the premise of security, but is not the best way to handle it.
 - (a) If used for the sake of security, the intent is one which is good-willed.
 - (b) There is a tradeoff, however, in that there are other ways to have good intent, but not be invasive (invasion of privacy violates the SE Code). [5]
 - (c) For example, the company could follow the mentality of virus scanning software, which simply informs the user of a problem and asks the user what to do about it, rather than assume that the user wants it gone.
 - (d) The tradeoff is that the public gains more freedom with their devices, while the manufacturer and developers lose a little bit of control over the software that interacts with "their" hardware and software.
2. The ability to remotely disable software is easily abused and, as such, could be detrimental to the "public good."
 - (a) If Google or Apple determines that a common program that enables a device to perform unadvertised functionality (Tethering, for example), those applications could be seen as "malicious" and "security threats" and, as such, be subject to deletion.
 - (b) Once again, the tradeoff is between the freedom of the consumer to do what he wants with the device that he owns vs. the freedom of the provider to control their products.

3. It is ethical for companies to avoid deception in statements regarding their software, and hiding these "kill switches" in the depths of terms of service agreements is a shady practice. [5]
 - (a) It is not obvious and clear when a person buys a phone or other device that Google, Apple, etc. have the ability to remotely disable applications.
 - (b) In the case of Apple's iPhone, the terms of service do not even explicitly mention that Apple has this remote "kill switch" functionality. [?]
 - (c) In the case of Sony's Playstation 3, the company repeatedly said that it would continue supporting the "Other OS" feature. That they went back on their word is very deceptive. [?]
4. The ability to remotely disable software can be considered dangerous in the case where a company such as Google or Apple is compromised and a malicious person gains the ability to remotely disable software on consumers' devices.
 - (a) This becomes the responsibility of the engineer, who, at some point, must have revealed to other workers and the companies in question the dangers of the software and its capabilities (in this case, the ability to remotely disable functionality). [5]
 - (b) In an admittedly rare case such as this, it is extraordinarily dangerous to have such functionality available, even if it was intended for "good".

References

- [1] "Bibtex." [Online]. Available: http://en.wikipedia.org/wiki/BibTeX#Bibliographic_information_file
 Useful in figuring out how to create the .bib file
- [2] "Ieeeannot: A latex ieee annotated bibliography style template." [Online]. Available: <http://www.barik.net/sw/ieee/>
 the web page where you can download the IEEE annotate style to allow annotations in a bibliography. Put it in the same folder as the .bib and .tex files.
- [3] "Kant's moral philosophy." [Online]. Available: <http://plato.stanford.edu/entries/kant-moral/>
 A good guide to Kant's moral philosophy, explaining the principles therein.

- [4] “Latex/bibliography management.” [Online]. Available: http://en.wikibooks.org/wiki/LaTeX/Bibliography_Management

Useful in figuring out the bibliography structure in tex

- [5] “Software engineering code of ethics.” [Online]. Available: <http://www.acm.org/about/se-code>

The Software Engineering Code of Ethics, co-written by ACM and IEEE.

- [6] “United states copyright law: Title 17, chapter 1, section 102.” [Online]. Available: <http://www.copyright.gov/title17/92chap1.html#102>

An important section of US Copyright Law describing what can and can not be copyrighted.

- [7] “United states copyright law: Title 17, chapter 1, section 103.” [Online]. Available: <http://www.copyright.gov/title17/92chap1.html#103>

An important section of US Copyright Law describing whos work falls under US Copyright Law.

- [8] “Utilitarianism.” [Online]. Available: http://www.qcc.cuny.edu/socialsciences/ppecorino/intro_text/Chapter%208%20Ethics/Utilitarianism.htm

An explanation of Utilitarian ethics. Useful in analysing problems like the one this paper deals with.

- [9] “Wikileaks cablegate press release,” November 2010. [Online]. Available: <http://wikileaks.ch/cablegate.html>

A press release by WikiLeaks, ”Wikileaks began on Sunday November 28th publishing 251,287 leaked United States embassy cables, the largest set of confidential documents ever to be released into the public domain.”

- [10] J. Anderson, “How to write a se code argument / term paper template,” May 2010. [Online]. Available: <http://true-reality.net/csc300archive/documents/paperInst.tex>

Used this to get started making the template.

- [11] enigmax, “Torrentfreak’s coverage of the pirate bay verdict,” April 2009. [Online]. Available: <http://torrentfreak.com/the-pirate-bay-trial-the-verdict-090417/>

TorrentFreak is a blog, and they did a meticulous job of covering every day of the Pirate Bay Trial, it’s verdict and the Appeals. This is their article from the day of the verdict.