ILLINOIS TECH | College of Computing

ITMM 485 / 585
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Legal and Ethical Issues in Information Technology

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Ch1: Introduction to Ethics and the Law
Part 3: Uniqueness of Cyberethics debate

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Learning Objectives:

- Understand the Uniqueness Debate about cyberethics

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Are Any Cyberethics Issues Unique Ethical Issues?

- Is there anything new or unique, from an ethical point of view, about the ethical issues that emerge in this scenario?
  - On the one hand, some high profile celebrities was harrassed in ways that were not possible in the pre-Internet era.
- But are any new or any unique ethical issues generated in this scenario?

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Debate about the Uniqueness of Cyberethics Issues (Continued)

1. *Traditionalists* argue that nothing is new – crime is crime, and murder is murder.
2. *Uniqueness Proponents* argue that cybertechnology has introduced (at least some) new and unique ethical issues that could not have existed before computers.

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The Uniqueness Debate (Continued)

- Both sides seem correct on some claims, and both seem to be wrong on others.
- Traditionalists underestimate the role that issues of *scale* and *scope* that apply because of the impact of computer technology.
  - For example, cyberbullies can bully multiple victims simultaneously (scale) and globally (because of the scope or reach of the Internet).
  - Cyberbullies can also operate without ever having to leave the comfort of their homes.

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The Uniqueness Debate (Continued)

- Those who defend the Uniqueness thesis tend to overstate the effect that cybertechnology has on ethics per se.
- Maner (2004) correctly points out that computers are uniquely fast, uniquely malleable, etc.
- So, there may indeed be some *unique aspects of computer technology*.

The Uniqueness Debate (Continued)

- Proponents of the uniqueness thesis tend to confuse *unique features of computer technology* with *unique ethical issues*.
- Their argument is based on a logical fallacy:

Premise. Cybertechnology has some unique technological features.

Premise. Cybertechnology generates some ethical issues.

Conclusion. (At least some of the) Ethical issues generated by cybertechnology must be unique.

The Uniqueness Debate (Continued)

- Traditionalists and uniqueness advocates are each partly correct.
- Traditionalists correctly point out that *no new ethical issues* have been introduced by computers.
- Uniqueness proponents are correct in that cybertechnology has complicated our analysis of traditional ethical issues.

The Uniqueness Debate (Continued)

- So, in analyzing the issues involved in this debate, it is useful to distinguish between any:
- unique technological features;
- (alleged) unique ethical issues.

The Uniqueness Debate (Continued)

- Consider Scenarios 1-2 and 1-3 (in the textbook) which involve:

a) computer professionals responsible for designing the software code for a controversial computer system;

b) ordinary users making unauthorized copies of proprietary software.

- Are any of the ethical issues that arise in either scenario unique ethical issues?

Alternative Strategy for Analyzing the Uniqueness Issue

- Moor (2000) argues that computer technology generates "new possibilities for human action" because computers are *logically malleable*.
- Logical malleability in computers means that they can be molded in ways that allow for many different kinds of uses.
- Some of the unanticipated uses of computers have introduced *policy vacuums*.

Policy Vacuums and Conceptual Muddles

- Policy vacuums are "voids" or gaps in our laws and policies.
- One solution might seem simply to fill the voids with new or revised policies.
- Some policy vacuums cannot easily be filled because of *conceptual muddles*.
- In these cases, conceptual muddles first need to be elucidated before clear policies can be formulated and justified.

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A Policy Vacuum in Duplicating Software

- Consider again Scenario 1-3 (in the textbook) involving the duplication of software.
- In the early 1980s, there were still no clear laws regarding the duplication of software programs, which had been made easy because of the availability of personal computers.
- Because there were no clear rules for copying programs, a policy vacuum arose.
- Before the policy vacuum could be filled, a conceptual muddle had to be elucidated: What, exactly, is software?

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