

COMP 516

Research Methods in Computer Science

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**Department of Computer Science
University of Liverpool**

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Lecture 18: Legal, Social, Ethical and Professional Issues (1)

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with material from Ullrich Hustadt and Rahul Savani

Relevant module aims and learning outcomes

Module aim:

To introduce students to concepts of professional ethics as well as social and legal aspects of computing

Module learning outcome:

Appraise professional, ethical, legal and social issues related to the work of a professional within the IT industry with particular regard to the BCS Codes of Conduct and Practice

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 - Legal
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Social Context

■ Ownership

- What can you own? Things, Rights, Ideas?
- Can you fully or partially transfer ownership?
How? To whom? When? With what restrictions?
- What rights, responsibilities, and liabilities does ownership carry?

■ Participation

- What rights to participate in society does an individual have?
- What rights, responsibilities, and liabilities come with participating in or being part of a society?

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- What contractual arrangements are allowed?
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- How many of your rights and those of others are you willing to sacrifice for your safety?
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IT professionals

- need to have an **awareness** of these questions and a rough idea what the answers are, possibly for a range of different societies
- might need to work out the answers to these questions from **first principles** due to the **innovative nature** of **information technology**
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Morality and Ethics

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- Is also a commonly held belief that in every society there are rules which tell you in advance whether an action is right or wrong
- These rules are called morality
- Ethics is the philosophical study of morality, a rational examination into peoples moral beliefs and behaviour.

(M. J. Quinn: Ethics for the Information Age. Addison Wesley, 2001)

- If there is no society then are there no rules?
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Key Ethical Theories

- 1 Subjective relativism
- 2 Cultural relativism
- 3 Divine command
- 4 Kantianism
- 5 Act utilitarianism
- 6 Rule utilitarianism
- 7 Social contract theory

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- Possibility 2: Some authority does it ~> authoritative regime

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 - it is a **command** (commandment), not a suggestion or guideline



Kantianism (2)

Kant divides the duties imposed by this formulation into two subsets:

Perfect duty:

Do not act by maxims that result in logical contradictions when we attempt to universalise them.

Example:

I should be allowed to lie from time to time

Universalised: Everyone is allowed to lie whenever they want to
→ destroys the meaningfulness of language

The law

Everyone is allowed to lie whenever they want to

fails the contradiction in conception test

(this law cannot even be thought as a universal law)

Therefore, we have the perfect duty never to lie

Kantianism (3)

Kant divides the duties imposed by this formulation into two subsets:

Imperfect duty:

Act only by maxims that we would desire to be universalised.

Example:

I will not help others

Universalised: Nobody helps anyone

→ no one will ever achieve anything that requires someone else's help

The law

Nobody helps anyone

fails the contradiction in willing test

(this law can be thought but cannot be willed as a universal law)

There, we have the imperfect duty to help others

Kantianism (4)

The distinction between **perfect duties** and **imperfect duties** is important when having to resolve conflicts between various duties

1 Perfect duties never conflict

Example: the duty not to murder and the duty not to lie never conflict

2 If a perfect duty conflicts with an imperfect duty, then one must fulfil the perfect duty

Example: if the duty to help others and the duty not to lie conflict, then one must not lie, and hence, not help others

3 If an imperfect duty conflicts with another imperfect duty (and neither conflicts with any perfect duty), one may choose between them

Example: if the duty to help others and the duty to develop your talents conflict, then you can choose between them

Kantianism and MP3 files

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According to [Kantianism](#),
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- Therefore, we have the **perfect duty** never to copy commercial MP3 files

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■ Cons:

- That perfect duties always trump imperfect duties
does not always produce results that appear acceptable

Example 1: You should not steal! (perfect duty)
 You should feed your children! (imperfect duty)
 You should not steal to feed your children?

Example 2: You should not lie! (perfect duty)
 You should help others! (imperfect duty)
 You should not help others if you have to lie to do so?

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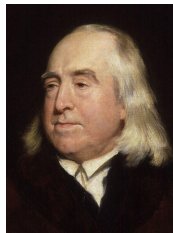
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 You should not steal to feed your children?

Example 2: You should not lie! (perfect duty)
 You should help others! (imperfect duty)
 You should not help others if you have to lie to do so?

- No exceptions to moral laws

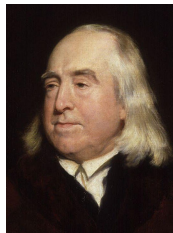
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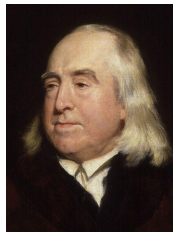
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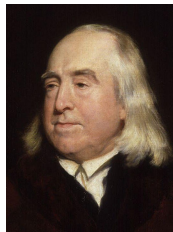
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An **action** is good if its net effect, over all those affected, is likely to produce more happiness than unhappiness



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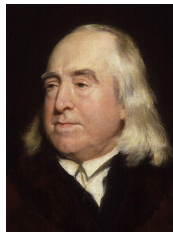
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Rule utilitarianism

Those **moral rules** should be adopted that if followed by everyone will lead to the greatest increase in total happiness



Utilitarianism versus Kantianism (1)

Utilitarianism easily deals with the cases that were problematic for Kantianism:

Example 1: You should not steal!

You should feed your children!

You should not steal to feed your children?

- The people you steal from will be unhappier

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- But your children will be much happier
- So, the net happiness is positive
- Therefore, you should steal to feed your children

Utilitarianism versus Kantianism (2)

Utilitarianism easily deals with the cases that were problematic for Kantianism:

Example 2: You should not lie!

You should help others!

You should not help others if you have to lie to do so?

- The people you lie to will be unhappier (assuming they find out)

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You should not help others if you have to lie to do so?

- The people you lie to will be unhappier (assuming they find out)
- The people you help will be happier
- As long as the net happiness is positive, you are allowed to lie

Utilitarianism (2)

Question: Are only people 'affected'?

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Answer: No, anyone or anything that can be happy or unhappy

Example:

Small children and animals can be happy or unhappy

So, small children but also animals should be included when considering the effects of actions / rules on total happiness

Consequences:

- Animals should not be made to suffer needlessly

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- But animals can be killed for consumption or for medical experiments
- Animals could also be made to suffer if sufficiently many people derive happiness from it (e.g. **dog fights** or **fox hunting**)

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~> Justifies “short term pain for long term gain”

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 - Therefore, children need to go to school whether they want to or not
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- Once we have dealt with all the beggars we should move on to other members of society that offend our sensibilities

→ Minorities and individuals have no protection under utilitarianism

Utilitarianism versus Kantianism (3)

Consider the following two examples:

- 1 There is an overly crowded lifeboat with ten people and unless at least one person is sacrificed all ten people might/will be lost
Is it ethically justified to sacrifice one of the ten people?

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Is it ethically justified to do so?
- According to **Kantianism** we have the perfect duty not to murder anyone ~→ the answer to both questions is negative
 - According to **Utilitarianism** net happiness increases if we sacrifice 10% of the population ~→ the answer to both questions is positive

Utilitarianism and MP3 files

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According to **Utilitarianism**,
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- Thus, to answer the question we have to work out what its effect on the music industry is

Utilitarianism (4)

■ Pros:

- Can be applied to acts as well as rules
- Produces universal moral guidelines
- Easy to understand

■ Cons:

- How do you define 'happiness'?
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Other ethical principles

Besides **Kant's Categorical Imperative** and the **Principle of Utility** there exist a number of others, for example:

Golden rule

Do unto others as you would have them do unto you

Justification:

We should not treat others better or worse than we ourselves would like to be treated

Example:

A company selling software should not use unlicensed software

Other ethical principles

Besides **Kant's Categorical Imperative** and the **Principle of Utility** there exist a number of others, for example:

Slippery-slope rule

If an action cannot be taken repeatedly, it is not right to take at all

Justification:

- An action may bring about a small change now that is acceptable, but if it is repeated, it would bring unacceptable changes in the long run
- Such an action should then not be taken at all

Example:

Legalising cannabis may be acceptable, but may lead to legalisation of other more harmful drugs which is not acceptable.

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Risk aversion principle

Take the action that produces the least harm or the least potential cost

Justification:

- Some actions have extremely high failure costs of very low probability or high failure costs of moderate probability
- Try to identify such high-failure-cost actions and avoid them

Example:

Building a nuclear plant on the coast in an earth quake zone

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Besides [Kant's Categorical Imperative](#) and the [Principle of Utility](#) there exist a number of others, for example:

No free lunch rule

Assume that virtually all tangible and intangible objects are owned by someone else unless there is a specific declaration otherwise.

Justification:

If something someone else has created is useful to you, it has value, and you should assume the creator wants compensation for this work

Example:

Texts, pictures, video, sound recordings found on the web should all be assumed to be owned by someone

Social Contract (1)

- Proposed by Thomas Hobbes (1603–1679) and Jean-Jacques Rousseau (1712–1778)
- Moral rules are motivated by the conflict between our desire of freedom and our desire of security
- By joining together through a social contract and abandoning their claims of natural right, individuals can both preserve themselves and remain free

Morality consists in the set of rules, governing how people treat one another, that rational people will agree to accept, for their mutual benefit, on the condition that others follow those rules as well (Rachels, 2003; as quoted by Quinn, 2004).

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Social Contract (2)

■ Pros:

- Framed in the language of (individual) rights
- Explains selfish actions in the absence of common agreement
- Explains the relationship between people and government

■ Cons:

- How exactly do you set up a social contract?
- How do you become subject to a social contract?
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- Does not explain the origin of the social contract
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Comparison Table

Theory	Motivation	Criteria	Focus
Kantianism	Duty	Actions/Rules	Individual
Act utilitarianism	Consequence	Actions	Group
Rule utilitarianism	Consequence/Duty	Rules	Group
Social contract	Security	Rules	Individual

The perfect ethical theory

- A perfect ethical theory would tell us once and for all how we ought to behave in all kinds of situations
- Neither Utilitarianism nor Kantianism nor any of the other ethical principles are perfect ethical theories
- The perfect ethical theory will have to combine elements of both Utilitarianism and Kantianism as well as some elements of other ethical principles
- However, so far nobody has been able to devise such a perfect ethical theory
- Thus, moral behaviour is still something to strive for without unequivocal guidance on what is right or wrong

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- Neither Utilitarianism nor Kantianism nor any of the other ethical principles are perfect ethical theories
- The perfect ethical theory will have to combine elements of both Utilitarianism and Kantianism as well as some elements of other ethical principles
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