Unit 1 Research Project

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IT590 Legal and Ethical Issues in IT

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Abstract

The unit one research project discusses ethics and ethical theory. The main objective of the project is to analyze legal and ethical issues of information technology, while gaining an appreciation for ethical theory. There are two parts to the project. In part one, an ethical theory is to be selected and the details of the theory discussed. In part two of the project, a current information technology issue is to be chosen, a position clearly stated, and then that position defended using ethical theory. The research project should contain the concepts and ideas of ethical theory, supported research, and personal perspectives.

Keywords: ethics, ethical theory, Act Utilitarianism, hacking
Unit 1 Research Project

Ethics is the philosophical analysis of morality and the assessment of people’s behavior (Quinn, 2013, p. 53). Studying ethics is important, because it provides an organized approach to understanding the core values of society. There are three primary values most people share; they are life, happiness, and having the opportunity to achieve goals (Quinn, 2013, p. 69). When considering ethics, and how it applies to life, there are two ways people see the world: (1) is a selfish view, where only the integrity of one’s own values matter; (2) is where a person acknowledges the importance of other people’s core values. Each of these perspectives spawn numerous questions, many of which are based upon a social context. This is where the underlying principles of ethics—that focus on morality—can be applied to gain insight into human conduct. It is this human conduct, and how it relates to happiness, that is a central theme to ethical studies. Certainly, ethics are essential to understanding morality; however, ethics itself spans a broad range of philosophies and practices. Consequently, ethical theory has been created to address the complexities of morality, social norms, and happiness.

Ethical Theory

Ethical theories provide ideas and concepts that examine what is good and bad, or what is right and wrong. The principles of ethical theories create a framework for adapting and applying knowledge to the various morals and standards of society. Ethical theory addresses specific principles that are deemed essential for a well-functioning society. Of course, what is socially acceptable is always changing; thus ethical theory continues to be a work in progress. There are many ethical theories—for example, Egoism, Utilitarianism, Deontology, and Care Ethics, just to name a few. The research in this project will focus on Utilitarianism, specifically Act Utilitarianism (Iowa State University, 2012, slide 12).
**Act Utilitarianism**

According to LaFollette (2000), Act Utilitarianism is a “principle of utility” that supports the welfare of humans (LaFollette, 2000, p. 165). The primary objective of the theory is to understand how maximizing happiness is connected to good or goodness. The viewpoint of Act Utilitarianism is that people should choose activities, events, and make decisions that make them happy (Internet Encyclopedia of Philosophy, n.d.). In doing so, a person can maximize positive outcomes, and consequently obtain the greatest amount of happiness. This may sound slightly self-centered; however, Act Utilitarianism means to create a society where the most happiness is produced when factoring in the needs of society. For example, if a person has two choices—go to the theater to watch a movie, or to help a neighbor clean up their yard—because helping a neighbor clean up their yard will render the greatest amount of happiness for everyone involved, the person should help the neighbor. As easy as this may sound, Act Utilitarianism is not considered a simple theory. When determining what is best for society, variables such as morality, religion, state and federal laws, and character traits have to be considered (Internet Encyclopedia of Philosophy, n.d., para. 5). Ultimately, Act Utilitarianism aims to evaluate what influences people’s choices, and then to create a system that produces the greatest utility.

**Personal Perspective**

After reviewing the initial research on Act Utilitarianism, I would say this theory best supports some of my own personal principles. For example, the theory’s primary goal is seeking happiness for society, which is something I believe is severely lacking. This is not to say some people are not happy, because they are. Though, I do believe many Americans are just unhappy with their lives, possibly due to only thinking about themselves. In addition to the happiness element of Act Utilitarianism, the theory includes goodness, pleasure, and human welfare. What
this means to me, and why I support this theory, is that for our society to maximize positive outcomes, there needs to be a social strategy that addresses the needs of the masses; I believe Act Utilitarianism is that strategy. Act Utilitarianism is a practical theory, based upon morality, which offers a systematic approach to achieving the greatest amount of happiness, and these are the reasons I have selected this theory.

**Contrast Argument**

As impressive as Act Utilitarianism is, not everyone supports the theory. There are two common criticisms of Act Utilitarianism: (1) linking utility to personal inclinations is impossible; (2) measuring happiness and suffering are not in any way definitive (Utilitarian, n.d.). Considering utility, how does one create a universal standard that will reliably provide the greatest utility from a person’s decisions? It does seem, unless controlled by an outside force, that a person’s own inclinations, biases, and desires would supersede any kind of universal standard. Additionally, right and wrong do not always have a clear definition. This fact alone can prevent a person from making the [right] decision that will maximize happiness. Similarly, when trying to quantify happiness, and how it relates to suffering, there is no single method to determine that happiness will always be maximized. As happiness is often based upon intensity, duration, and certainty, adding a social constraint does not guarantee a good decision; meaning, the best choice may not always favor society (Quinn, 2013, p. 69). Both of these criticisms present valid issues in the Act Utilitarianism ethical theory. Though, due to the principle of utility usually choosing society over the individual, creating universal standards are not as complex as they may seem.

**Counter Argument**

Act Utilitarianism presents its principle of utility as a way of increasing happiness by
maximizing positive outcomes. Conversely, there is criticism that questions whether or not happiness can be accurately quantified. If happiness cannot be measured, then the core concepts of Act Utilitarianism are inadequate. Furthermore, cynics point out that even if happiness could be properly calculated, there is no way to guarantee a person would subject themselves to a universal standard, one that works on the behalf of society rather than the individual. Evidently, the skeptic has failed to acknowledge all the components of the principle of utility. The principle consists of a set of checks and balances that addresses happiness and personal inclinations; for example, actions that benefit a person are considered good; actions that hurt a person are consider bad; and, happiness that has the highest impact on self or community is considered the most advantageous. The argument could still be made that those principles would not compel a person to choose community over self. This is where understanding happiness and maximizing positive outcomes is critical. Eventually, which is the goal of Act Utilitarianism, the person making the decisions would choose to weigh their personal choices with the needs of the community; and thus, a sort of social equilibrium would emerge. It is in this awareness of community and society that makes Act Utilitarianism an attractive ethical theory.

**Contemporary Issue**

Moving from ethical theory to applied ethics, ethics can be directly applied to a contemporary IT issue; that issue is hacking, that is, hacking with malicious intentions. In 2014 alone, dozens of high profile hacks caused data breaches, data loss, and tarnished company reputations. Businesses, such as Home Depot and Target, reported millions of dollars in losses due to hackers exploiting weaknesses in their computer and networking systems (Finkle & Bose, 2014, para. 1). But, what exactly is hacking? Hacking is the activity of gaining unauthorized access to a computer system, where the attacker can upload viruses and worms, steal data, and
render systems useless (Phys, 2013). From Business Insider (2014), the suggested reason why hackers are costing companies millions of dollars, is because businesses just do not feel as though cyber threats apply to them, until it is too late that is (Business Insider, 2014). Hacking damages computer systems, hurts people, and can affect company revenue in a big way. Thus, the term hacking has come to have a negative connotation, linking it with illegal activities.

**Personal Perspective**

From a personal and professional perspective, I have spent most of my life working on computer systems. I feel as though anyone wanting to damage those systems should receive extremely harsh penalties. One problem I have with hacking, is the effect that viruses and worms have on a system of network computers. It is one thing to have a single computer at the workplace with a virus; it is quite another to have thousands of computers infected. Another concern I have with hacking, is that it is a violation of privacy. For a business, let us say for the one I work for, customer data is arguably the greatest asset we possess. If a hacker gains unauthorized access to our computer systems, they could steal or modify customer data, and damage the systems in ways that affect business operations, especially those operations that deal with customers. To say the least, I do not approve of hacking, and consider it to be a criminal activity.

**Applied Ethics**

To support the personal perspective with ethical theory, there are three principles of Act Utilitarianism that can be used to demonstrate why hacking is bad. One of the core principles of Act Utilitarianism state that happiness, and thus goodness, is when *total* happiness is increased for everyone involved (Quinn, 2013, p. 76). Businesses and people who have had their computers and networks compromised, are not happy. Therefore, hacking is in direct
contravention of the happiness principle. A subsequent principle establishes that an action is considered bad if it hurts someone. Not only does hacking hurt someone, it can literally impact millions of computer systems and people at one time. Hence, hacking is in violation of the second principle. Finally, a third Act Utilitarianism principle dictates that activities, events, and decisions should ultimately maximize positive outcomes. As hacking is an illegal activity, a positive outcome is not possible; thus hacking, once again, ends up in the bad category (NCSL, 2014).

**Conclusion**

The study of ethics examines the values of good and bad, and is motivated by a sense of moral obligation. Approaches to understanding ethics is not always simple. Thus, ethical theory has been created, and has been challenged, to provide insight into moral principles. Of course, identifying good and bad, right and wrong, requires in-depth research into human conduct. It is this study of human conduct where happiness, goodness, and moral responsibility can be properly defined. In Act Utilitarianism, increasing happiness and positive outcomes are based upon the rightness or wrongness of a person’s actions. Consequently, if a person’s decisions are of pure intent—ones that consider the needs of society—the greatest amount of happiness can be achieved. When applying Act Utilitarianism to a real world example, as in hacking, it is evident that ethical theory can be used to clearly define the boundaries of good and bad. Inasmuch, the Act Utilitarianism theory can been seen as a practical system that encourages happiness, while maximizing utility. The final thought is this, could the world become a better place if Act Utilitarianism was applied to mainstream society?


