

Ethical issues of tracing a mobile phone philosophy essay



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Moral concerns and ethical issues are raised every time new technologies are launched, since these create new possibilities for human action. New technologies bring about beneficial and also problematic outcomes. Hence, they need to be evaluated at each stage of a technology's development in such a way that they eliminate or minimize as much as possible negative effects. To be able to fully understand and define the negative effects, James Moor (1985) believes that one should think of ethical questions surrounding computer and information technology as policy vacuums. As computing becomes more prevalent, computer ethics becomes more difficult and much more important, therefore policy vacuums continue to arise and are not always easy to fill.

Early in 2007, a new experiment gave rise to a new type of technology leading to a number of ethical questions. These new technological systems, known as Location-Based Systems (LBSs), recorded the location of devices, such as mobile phones. For successful tracking of these devices, an active call is not necessary to track its current position. The phone needs merely to be switched on. There are two ways of tracking such devices.

Triangulation

This requires a mobile phone tracking software and three base stations (BS), which are used to calculate mobile phone proximity to base stations. When a mobile is switched on it immediately begins to search for the signal from the nearest base station. When the nearest base station is found, it looks for other base stations that are nearby. Multilateration is used by Global System for Mobile Communication (GSM) to establish the position of GSM mobile

phones. Location is therefore based on monitoring and comparing the strength of the signals from different base stations to the mobile phone.

GPS (Global Positioning Satellites)

New mobile phones are equipped with GPS, which give much more accurate results when tracing devices. This employs the concept of Triangulation but makes use of satellites rather than base stations. GPS uses a constellation of GPS satellites that orbit the earth and has the ability to calculate position, time and velocity of any GPS receiver. A GPS device receives signals from the GPS satellites and location is calculated depending on the strength and information extracted from the signals. When having a GPS mobile phone one can set it to either enable only emergency services to use the signal from the GPS to locate and track the mobile phone or to enable anyone with access to mobile phone tracking software to use GPS capabilities to track the mobile phone.

In the long run, with the extensive propagation of this technology the overall outcome might become somewhat disturbing. Such systems can be used by a number of social groups and sectors in society, each experiencing both benefits and harms regarding such tracking based systems. The use of location tracking described can therefore be a double-edge sword where these different outcomes gave rise to concerns and deep thoughts on moral issues and ethical implications of using this type of locating technology. This ability to pinpoint a mobile user's location creates a whole new category of applications and service where stakeholders involved must therefore equip themselves with the knowledge and tools to understand the current and

potential ethical and socio-ethical implications. Such stakeholders and new services offered include:

Individuals and Families.

LBS technologies are currently utilized to monitor families and individuals. Mobile tracking devices can be applied on three main people, which are children, teens and spouses.

When it comes to children, kidnapping is a big issue. It is impossible for parents to know the location of their child at all times since children go to school and are not always with their parents. With such technology one can find the exact location of their children at all times. It is important to note that this technology can be extended such that in the future tags might be embedded into children to advise parents of their locations. This can also be of help for schools, since they will be able to locate their students if they are absent from class.

As children grow older they become increasingly responsible of telling parents of their whereabouts. Applying such a system into teenager's mobile phones can inform parents of the location of their teenager. This might lead to a decrease in kidnapping and put parents' minds to rest.

This technology can also help spouses or significant others to determine whether or not a spouse or significant other is cheating upon them. Tracking down such spouses can decrease the high levels of risks, such as sexuality transmitted diseases, violence and abandonment.

Employee and Employer.

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In general, a mobile phone is given to employees, which incorporates the location technology software to allow the employers to monitor the location of the employees, in order to improve productivity.

For example, in the business sector tracking devices in vehicles of fleet can save a business a great deal of money. Such as improving routing, by assigning the service call to the closest employee and reducing fuel expenses by eliminating unnecessary vehicle idling. This will improve and produce a healthier and more productive business.

When it comes to taxi companies, this method can be employed to track the whereabouts of the moving taxis and assign the nearest taxi to a specified trip. This saves time, which will then save money for the company.

Citizens and Government.

This can also be used by Governments to assist in emergency services to locate individuals. This service has the potential to save lives, however, it also has the potential to store and analyze every location individuals go to with their mobile phones.

It can also be extended to keeping tabs on criminals. This would be of extreme use in society such as when giving house arrest sentences or monitoring of sexual offenders. If a criminal is under inspection of the law, criminals are more likely to obey the law. This can also lead to prevention of crime since this technology would monitor and store every location that a person visits and can be therefore much easier to catch a criminal.

Patient and Doctor.

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Doctors, nurses and patients may also be tracked down when needed to ensure an optimum level of supply of staff on demand. This would be less time consuming and can be beneficial when it comes to time critical treatments.

Consumer and corporation.

The use of tracking systems in the retail sector helps in reducing costs, improve services, and enhance convenience. This technology can also be used to track and monitor consumers. Such devices might lead to better financial services in the future, removing the need of carrying cash or credit cards.

It is of no doubt that a great deal of attention is paid to technical and commercial aspects of this system. In spite of so, such an invention brought about different types of concerns and considerations of legal, ethical and social issues. It is debated that LBSs might bring about dramatic and revolutionary changes, which will indirectly or directly affect every individual in the world.

Locating people touches delicate privacy issues since it enables anyone to locate another without the person's consent. If it can be shown that knowing the location of an individual at any time or the ability to verify that what one was told by that individual is true or false is immoral, then usage of mobile phone tracking system becomes unethical. Other important aspects of life to discuss are freedom, privacy and rights. Not everyone shares the same reasoning on the level of freedom and privacy that an individual is right to.

Therefore, human perceived rights may not always make laws in a society.
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As a small example, many people may believe that everyone is entitled to sufficient food so as not to starve. Yet this is not included in the Maltese Law. For this reason, laws in society may not necessarily safeguard the perceived laws by individuals.

This moral dilemma resulting from computer technology have not yet been adapted to create specific laws or regulations in the Maltese Law to deal with Mobile Tracking Systems and their possible misuse, which can potentially pose a real threat to individuals. Hence, understanding the rights of freedom and privacy is important to all stakeholders. The positive and negative affects of the implementation of the system in all scenarios mentioned above are dissected and discussed in the following.

Taking the scenario of tracking teenagers, the majority of the parents acknowledge that the installation of the tracking device in their teenager's mobile phones can give a greater peace of mind, while making the teenager more responsible. On the other hand, it is of no doubt that teenagers tend to view such a device as a controlling device, which controls their actions and invades their privacy. Generally, it is a scenario of safety against privacy, where a person's security may be increased at the expense of the person's location information.

Using such a system may give rise to greater safety, yet it also includes negative effects and disadvantages. This scenario incorporates other different aspects and effects. When the system is active, the user has a lack of control over who accesses the location information. Such information can be accessed at any time with or without consent of the user. Leading to a

greater risk of invasion of privacy and also increasing the security risk, where not only parents have the access to a child's location information. Another disadvantage is the fact that an outsider can also track back the user. This stresses on the importance of creating a balance between the privacy of an individual and national security as a whole. Therefore, we ask " Is it morally acceptable to sacrifice a child's privacy and freedom to a child's security?"

When it comes to situations where location technology is used to monitor loved ones, several issues need to be addressed beforehand. The warrant of this action is difficult to pinpoint since the following fundamental questions arise: " When is a person eligible to apply this type of monitoring on his/her spouse?" " What if the persons being monitored are too impaired to rationalize the fact of being monitored?" " Is there any difference between " monitoring" and " surveillance"?"

Another case of moral confliction is in the case of the employer and employee. From a business point of view the installation of such a system would increase productivity and therefore be beneficial and gain the company money. On the other hand, the employee will not be as fond of such a technology as the employer, since they can be located by the employer at any time of day, even when they are not on duty. An advantage is that a user can opt out of the system by shutting down and deactivate the device, or by leaving it in a stationary position. Yet, the employer will easily notice these actions made by the employee. Also, a great security and privacy risk is a disadvantage to the employee, where his motion and whereabouts can continuously be monitored and watched not only by the employer but also by strangers who have the ability to view the employee at <https://assignbuster.com/ethical-issues-of-tracing-a-mobile-phone-philosophy-essay/>

any time with or without his consent. The same applies to patients and doctors. Therefore one asks “ Is it morally acceptable to sacrifice privacy and freedom to better business services and productivity?”

When it comes to the improvement in the emergency service, dilemmas of moral issues are once again in conflict. The implementation of mobile tracking can be used to save lives yet it can lead to privacy invasion and security risks. The delay in the event of the emergency is still present yet, at least the location and whereabouts of the emergency is easily pinpointed, saving a great deal of amount of time, and therefore saving lives. Therefore one asks “” Is it morally acceptable to sacrifice privacy and freedom to better emergency services?”

Considering the consumer and corporation, the following ethical questions are put on the table, “ Is it morally acceptable to sacrifice privacy and freedom to better financial services?”

People who are suspected of criminal offenses can be monitored using warrants obtained from court. This system has already been implemented in Australia where new anti-terrorism laws give that warrant to police and security agents to track suspected terrorists for up to 12 months. Ethical questions are presented due to these actions, which are: “ Is it reasonable and morally correct to take away freedom and invade on their privacy by monitoring someone who is suspected of committing a crime?” and “ When is it eligible to monitor a suspected individual? Meaning that, how much information can one gather in order to grant the warrant to perform such monitoring?” When dealing with real criminals who have rebelled against

society laws, normally natural rights, such as the right to liberty is taken away. Yet when having suspected criminals, where crime cannot be directly linked to a person, such monitoring might be viewed as out of proportion. These measures are significant and are to be evaluated when it comes to refining laws.

Considering real criminals however, with such a system they can be easily located. Run away criminals, or house-arrested criminals are two perfect examples, which emphasise on the importance of tracking systems in societies. This would definitely decrease criminal offenses and criminal runaways since law enforcement will be informed about all the whereabouts that the criminal has fled to. This advantage of implementing this system in this sector would result in a safer society and would definitely give the general public a greater peace of mind, therefore having a greater security in society. In spite of so, this can also give society a false sense of security, since monitoring from afar does not necessary mean that it will prevent harm on another. One has to admit that we live in a very dangerous world where ongoing criminal offenses and actions happen everyday. Therefore one might argue that we should exploit these powers at hand, in order to minimize the likelihood of crimes. Yet, “ Is it justifiable to monitor everyone in the country in order to catch criminals during their criminal acts? Meaning that, is it justifiable to invade everyone’s privacy so as to lower the chance of crimes being committed, or at least to minimize the percentage of crimes that are left unpunished?”

Tracking systems can also mark psychological effects of a human being when being monitored, no matter how justifiable the reason for monitoring <https://assignbuster.com/ethical-issues-of-tracing-a-mobile-phone-philosophy-essay/>

is. Having said this, it is debated that monitoring a person can only be implemented with the consent and agreement with that person. Therefore one asks “ Is it morally acceptable to increase the possibility of psychological effects among people in society in order to live safely?”

A number of social issues emerge when dealing with Mobile Tracking systems. One of these issues is control. All of the above scenarios have an element of control, which makes a person have total control of the whereabouts of the other. As already mentioned this can lead to psychological dysfunctions. Also, this shows lack of trust, which is an important part of human existence. Without trust relationships between one another falls apart. Therefore implementing such systems in all scenarios will contribute to the erosion of trust between people. The lack of freedom is a violation of the Human Rights since freedom is in itself necessary and should be entailed to all human beings as indicated in Chapter 4, Article 32 of the “ Constitution of Malta”, which is the Universal Declaration of Human Rights.

“ Fundamental rights and freedoms of the individual.

32. Whereas every person in Malta is entitled to the fundamental rights and freedoms of the individual, that is to say, the right, whatever his race, place of origin, political opinions, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following, namely –

(a) life, liberty, security of the person, the enjoyment of property and the protection of the law;

(b) freedom of conscience, of expression and of peaceful assembly and association; and

(c) respect for his private and family life, the subsequent provisions of this Chapter shall have effect for the purpose of affording protection to the aforesaid rights and freedoms, subject to such limitations of that protection as are contained in those provisions being limitations designed to ensure that the enjoyment of the said rights and freedoms by any individual does not prejudice the rights and freedoms of others or the public interest.”

As it can be seen from this article, freedom and privacy go together. Maltese laws which safeguard human rights and prevent malicious actions on other human beings can be found in “ Chapter 440: Data Protection Act”. Following is Article 12 from “ Chapter 440: Data Protection Act”, which is about “ Sensitive Personal Data”.

“ Sensitive Personal Data

12. (1) Subject to the other provisions of this Act no person shall process sensitive personal data:

Provided that such personal data may be processed in those cases provided for under subarticle (2) and under articles 13 to 16 or as may be prescribed by the Minister having regard to an important public interest.

(2) Sensitive personal data may be processed if the data subject:

(a) has given his explicit consent to processing; or

(b) has made the data public.”

The above law therefore allows only data to be processed if and only if there is consent from the individual beforehand or if s/he has already made it public. Hence, according to the Maltese law it is a crime to locate an individual without his consent. This shows how the Maltese laws safeguard privacy issues, which are generated due to this propagating technology. A Maltese citizen therefore is enabled to have full privacy and protection of his data.

As explained above locating tracking systems can be the source of many benefits, but it can also create new opportunities for breaking the law or taking benefits away from others. Therefore two schools of thought are followed in order to consider some of the many ethical principles regarding location-tracking systems.

One of the Duty Theories present is the Kantian Principle. In general, it states that, for an action to be morally good, the end results are not important. To determine whether it is justified or not, Immanuel Kant judges the morality of an action based on the motives of the person who is performing the action. Consequences are of no importance to this school of thought.

Considering this theory and applying it to the moral conflicts and ethical issues presented above, implies that in the scenario of parents versus children and teenagers, the parents and guardians' motive is to protect and secure their children, therefore according to Kant it is morally accepted to apply the Mobile Tracking System. On the other hand however, the act of third parties who access location information with or without the consent of

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the individual with malicious intentions is immoral and unethical, since the motive of the action that is the duty, is purely wrong. This is the consequence of such a situation.

Taking the second scenario, lovers use this tracking system to monitor loved ones or spouses. According to the Kantian school of thought, if the individual seeking for the truth about his/her spouse is purely the intention of the action, then it is ethical. On the other hand, the consequence of such a situation is that if the only intention of the action is to monitor and spy on the spouse then it is therefore unethical and should not be allowed to use such a system.

In the case of the employer and the employee, it is clearly ethical for the employer to use this system on the employees, since his only one goal is to provide an increase in productivity of his business to gain the company money. However, once again the consequence of implementing the system relies on the intentions of third parties who have access to the employee's locations and whereabouts. For those who have malicious intentions of misuse of this information, according to Kant this is ethically an incorrect use of the system.

The improvement of emergency services that this system can offer to all human beings is without a doubt a noble action. Therefore, according to Kantian ethics, and hence, eliminating all consequences, it is morally and ethically good to apply such systems in our society. Kant does not take into consideration that as a consequence privacy can easily be invaded by other persons. Yet, it does state that it is morally wrong to invade the privacy of

others when such an invasion is made with a bad intention. This is the side effect that such a beneficial system experiences.

Monitoring systems can be applied on both criminals and suspected criminals since the intention of the application of the location-based system is to track suspected terrorists or criminals, which in itself is a positive reason and action. Applying this system to criminals do not produce consequences since, criminal's freedom is already deprived from them. Yet, when taking into consideration suspected criminals, a consequence is developed. Persons who are suspected of crime are not criminals and depriving them of freedom and privacy is not ethical.

The fact that such systems can lead to psychological dysfunction does not play a role in Kantian ethics since this falls under the category of the consequences of the action, which the Kantian approach ignores. This would produce a great drawback on society since psychological dysfunction is a serious problem.

When considering Consequentiality Theories, the Utilitarian Principle comes to mind. This approach, for the contrary of Kant's approach, states that consequences are of utmost importance in determining the rightness and moral of an action. Hence, this school of thought abides by the fact that ends justify the means, and actions are judged on the results and outcomes it will have, rather than the intentions and motives of the action.

The scenario of parents mobile-tracking their children, in light of the Utilitarian approach, is viewed to be unethical since the outcome of the scenario will include the possibility of privacy invasion of other people other
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than their parents. Hence, since the Utilitarian Approach justifies means and actions upon results, the installation of such a system onto teenager's mobile phones is immoral. This would therefore lead to one consequence, which is having less security over children.

For the contrary of the Kantian approach, taking into consideration the scenario of monitoring loved ones. It is ethical to apply such a system since the results might be beneficial. Tracking down such spouses might decrease the high levels of risks, such as sexuality-transmitted diseases, violence and abandonment, and therefore producing a much greater good, yet producing the consequence of enabling others to track down the spouse during that period of time monitoring.

A moral confliction investigated is the case of the employer and employee, where the employer, according to the Utilitarian school of thought can impose such a system on its employees since the outcome of implementing such a system will produce a greater good, which is high productivity and therefore be beneficial and gain the company money. Yet, when evaluating the fact that the employee is sacrificing his own privacy, the greater good does not remain focused on the productivity of the business. Therefore, it becomes unethical. Being unethical, businesses go back to less productivity and therefore less money produced.

The Utilitarian school of thought abides by the following:

“ the greater good for the greater number”

Hence, when it comes to the improvement made with this technology to the emergency service, it is of no doubt that the Utilitarian approach stands by and justifies this implementation, since in spite of all the negative outcomes that might crop up, a greater positive outcome is applied to the greater number. Hence this installation, under these circumstances is ethical and moral. The side effect however includes the ability to monitor individuals by third persons, which might have malicious intentions.

The same applies to people who are criminals and suspected criminals. Monitoring of such people can definitely bring about the greater good for the greater number since the whole society will benefit from this by gaining a peace of mind. The only consequence of applying the system to this sector of people is that suspected criminals might be monitored for nothing, and hence it might be useless to monitor people who are not proven to be criminals. Leading to waste of resources and time.

When considering the psychological affects that the system can have on numerous people when implementing the system nation wide, the Utilitarian approach states that it is not ethical to implement this system, since it would decrease the criminal offenses, but in the long run it would not be healthy. This therefore implies having less security in our societies.

It is expected that every new technology brings with it both positive and negative effects on individuals and also on society, but it has been shown that both benefits and drawbacks of the Mobile Tracking system is largely depended on the given context and the user of the system. It was also shown that little consideration of possible implications of such a technology

has been carried out in the Maltese society. This is somewhat disturbing as the use of this technology is exponentially increasing. When legal actions are to be taken, it is important to take actions based upon different scenarios in order to address social, ethical and also technological issues.

It has become appallingly obvious that our technology has exceeded our humanity.

~ Albert Einstein ~

They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety.

~ Benjamin Franklin ~