

Application of ethical theories to computer privacy



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In order to competently develop an encompassing ethical code which can guide action, it is imperative that we look to the renowned ethical thinkers and the developments of practical theory that stems from their ideas. I will analyse the work of prominent ethical theorists including Aristotle's notion of virtue ethics, Hobbes and Locke on their contribution to social contract theory and Kant's categorical imperative. From the framework developed by these thinkers I will attempt to develop insight on the operational application of these theories into a more contemporary notion of the ethical duties of a company. I believe it is evident, based on the proliferation of some of these ideas since their conception, that the notions of ethical duty and responsibilities formulated by these theorists are crucial to understand in order to develop any meaningful code of ethical duty. The aspects including but not limited to virtues, social contract theory and Kant's formulations of ethical duty are all very much present in modern day ethical justification and therefore we must critically understand the positions as developed by their respective creators.

Aristotle's notion of virtue is one of the first grounding works that attempts to guide humans on proper conduct in our lives. What I believe Aristotle attempts to demonstrate is that humans should seek virtuous life and to Aristotle, virtuous life means the seeking the highest form of good being happiness (Aristotle 6). As I have understood it, happiness develops from the engagement and embracing of good actions and duties we have that align ourselves with a good life which constitutes a virtuous life. Another vital aspect of Aristotle's concept of virtue revolves around the notion that there is most often a mean, or a middle ground, to our actions and emotions

(Aristotle 18). Essentially, we as agents should carry out actions that habituate us towards this mean in order to avoid exhibiting excessive or deficiency in our actions which would not be virtuous. Virtue according to Aristotle lies in between the extremes of excess and deficiency (Aristotle 18). Now with regard to ethical actions, I believe it is paramount to be conscious of the extremes in order to find the middle ground. An interesting example that can demonstrate this notion of a mean is the concept of fear and confidence. The extreme excess of confidence and deficiency of fear is rashness, being fearless and not rationally considering consequences. Whereas the extreme deficiency of confidence is cowardice and is an excess of fear. What lies as an intermediate between these extremes, is courage (Aristotle 18-19). This is the course of action that Aristotle would deem necessary in order to align ourselves with the flourishing of humanity i. e. be ethically virtuous. This can be very informative and is especially applicable to a company dealing with the ethics of selling information.

One of the most common aspects of our society, now with the ubiquity of the internet, are companies with wealths of information on us. One of the things that can be done with this information is to adapt advertisement, solicitation and other forms of engagement towards individuals and to make a profit off of it. However, that immediately raises ethical questions of whether or not we should allow actions like that. I believe when looking at this situation from an Aristotelian standpoint, one might ask what is the middle ground or mean that we should be finding here? What will align ourselves and habituate us in correct virtuous action? I think as a company it is imperative to be courageous to take an ethical stand on not selling information for profit

under the guise of justification for a more unique experience. I believe that finding a middle ground of respectful use of information between the extremes of blatant disregard of privacy and extreme protection of privacy to an extent of inconvenience is necessary for a company. We can utilize the information to provide a better service to customers however, never to the extreme of selling their information. This middle ground of respectful use I believe is evident when looking at the situation from an Aristotelian framework.

Thomas Hobbes and John Locke are perhaps some of the most important social theorists as they are often credited with the first formal development of what is now known as social contract theory. What these thinkers did was recognize the difficulties that we have in our social organizations and reconcile the features required for an effective social organization. For Hobbes, he seems to describe people in the state of nature will always be at odds with one another. This is due to the inherent equality in our state of nature. Hobbes paints a picture of humans in a land prior to laws and regulation and to humans were in a constant state of war due to our equality (Hobbes 77). That equality for Hobbes is our ability to reason and justify ourselves towards an end (Hobbes 80). This means that every other individual with this rational ability can utilize their strengths to overcome their weaknesses. This is where the requirement of a social contract comes into place. There must be a system or an authority that we value more than our individual ability to reason and achieve our personal wants and desires. What this manifests itself as in contemporary society, is an authority to whom we give up our individual freedoms for the sake of a more cohesive

polity or organization. Within a company this is the code of ethics that we adhere to and the consequences that result from disobeying the socially agreed upon guidelines of moral action. This ethical code is complicated to conceive of because of the problems which arise when to developing universalized or general concepts that everyone is willing to adhere to, that is where I believe the understandings and work of John Locke become helpful to further discussion on the topic.

Another influential social theorist, John Locke, developed his theory about the state of nature which consists of natural law that cannot be transgressed. This natural law, according to Locke, involves the notion that no person has permission to harm another person (Locke 4). I think this is extremely relevant to the notion of selling information and being sued consequently from the actions undertaken by the company. This concept of transgressing a law of nature comes with it the idea of necessary or justified punishment, the only form of harm allowed in Locke's analysis of our social contract (Locke 4). We must be able to punish those who transgress this law and in the case of a company violating ethical guidelines, ramifications are justified according to this framework. Now, with regard to the ethical implications of selling information on the basis of doing no harm, it is very easy to see the potential harm done when a company sells information. Personal, private and sensitive information being sold without a person consenting it could produce emotional, psychological distress, as well as lead to future harms as this information could be cumulated for other purposes. I think in terms of contemporary ethical issues like Facebook selling information for advertisement, it could be argued the harm of adapting

experiences through selling information is not a harm at all or at least negligible. However, that does not rid them from the consideration that selling information could harm people and thus the transgression of harming people through the selling of information can be avoided.

One of the most influential intellectuals on the topic of ethical duty is Immanuel Kant. Kant's categorical imperative might seem a bit restrictive to the individual on the basis that we simply have a duty to act accordingly but when extrapolated through his formulations we can see it is almost a formation of social contract theory. Basically the first formulation of Kant's categorical imperative is that we are only to act on maxims which are universalizable (Kant 11). We must only act in such a way where we could will this action to be universal law. The reason we must do this is detailed in his second formulation of the imperative, and that is how we must never merely treat others as a means, and to treat them as an ends in and of themselves (Kant 29). This notion of categorically determining how to act towards others is recognizing that we live in a social organization of others and we engage with one another as agents. Meaning we have the ability to choose how we treat people and because of this ability to autonomously decide we must act in a way which preserves the autonomy of others within our collective. I. e. treat others as an end. This might mean we give up freedoms of acting a certain way, because when these actions are universalized we can perhaps see the points of contention between other agents.

In light of Kant's categorical imperative, looking at a company selling information, we can definitely see some complications that might conflict

with Kant's notions of ethical duty. Is the act of selling information on the basis of profit or even customizing an experience a universalizable will? Definitely not because there would be potential interference with other rational agents and their autonomous ability to decide for themselves would be compromised. Through the act of selling information without the consent of the people we take away their ability to autonomously decide what happens to their information. The taking away of someone's autonomy is a direct violation of the treating everyone as an end as their decision making ability is subverted. That being said, if people willing and consentingly agree to the selling of their information to better enhance their experience with a platform, that is considered fine within a Kantian framework.; However, if a company is being sued over the selling of information it is quite evident there was not an fully informed decision made by the person whose information was sold.

Based on the ethical theories analysed from viewpoints and perspectives of Aristotle, Hobbes, Locke and Kant I believe it is quite evident of the ethical issues that arise from the selling of information. From an Aristotelian standpoint there is an ethical duty to attempt to best align our actions with a intermediate between the extremes that can allow us to be considered ethically virtuous. With regard to a social contract, there is evidence provided that cohesive organization requires the relinquishing of some freedoms to better suit the collective. And when there are transgressions of the socially agreed upon authority, there is justifiable repercussions to the infraction of the social contract. And finally if we are to uphold ourselves to the ethical morality developed by Kant, there is no way to justify the selling

of information without the direct autonomous consent of the people whose information we are selling. If we violate the imperatives set up by Kant we are acting against our ethical duty as an agent and are not ethically justified.

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