

## Case Analysis on Professional Ethics

Bill Sourour's article *The code I'm still ashamed of* talks about a website he had to make for a customer and a quiz that they wanted him to write for it. The company that wanted the website was a Canadian pharmaceutical; in Canada, they have strict rules for pharmaceutical companies on how they can advertise drugs directly to the population. They can create websites that give general information about symptoms their drugs are meant to mitigate, but they can't get more specific information without a prescription for the medication. They were pushing a drug targeted at teenage girls for this particular company. The company wanted a quiz that asked a series of questions that would recommend a medication brand based on their answers. But the problem with the website is that it was supposed to be general information on different drugs that could be used for their symptoms and not for a specific drug. In this Case Analysis, I will argue that contractarianism shows us that the code was morally problematic because the social contract was broken, and Sourour should have done the website differently because writing the code was unethical.

Many different codes of ethics can be used for professional workers; some are the Association for Computing Machinery, the Institute of Electrical and Electronics Engineers, and the National Society of Professional Engineers. The ACM Code of Ethics and Professional Conduct has many different concepts that computing professionals should follow with their work. One idea that I think is a central concept of ACM says that you should know and respect existing laws about professional work. The concept states that ACM members must obey the existing international, national, local, state, and provincial laws except for compelling ethical justification not to follow the law. A law can be unethical when it has an inadequate moral foundation or causes distinguishable harm; if a law can be judged as unethical, it should be challenged. A computing professional should use proper channels to challenge the law before deciding to violate the law. Suppose the professional decides to break the law because they believe it to be unethical or for any other reason. In that case, they should make sure they consider the protentional consequences and be ready to accept all responsibility for that action.

The IEEE Code of Ethics also sets standards for ethical technology. The IEEE and the NSPE both have a concept that stood out to me. The idea held paramount to the public's safety,

health, and welfare and strived to comply with ethical design and sustainable development practices. We should also promptly disclose factors that would endanger the public or the environment. You should not allow the use of your name or associate in business ventures with any person or firm that they believe is engaging in a fraudulent or dishonest enterprise. Suppose you know of any alleged violation of this Code. In that case, you should report it to the appropriated professional bodies and, when relevant to public authorities, and cooperate with the proper authorities to furnish such information or assistance as may be required.

Sourour knew that pharmaceutical companies in Canada could only provide general information about what drugs could help them alleviate their symptoms. But that is not what the company was doing with its website. They were not recommending different medications based on people's symptoms. They were only recommending their drug no matter what you put on the quiz unless you were allergic or were already taking that medicine. They were posing as a general information website and recommending their drug to these teenage girls that took the quiz, and there were no other drugs offered to the girls. Sourour knew that when he got the requirements, the examination was designed to trick young girls into taking this particular drug, and he knew the Canadian laws about how the websites should be structured.

Yet, he did not follow the ACM Code of Ethics for computing professionals when he disregarded the law about how pharmaceutical companies could market directly to consumers. The law was not unethical, and even if he thought it was, he did not go about challenging it through the correct channels. Sourour also disregarded the IEEE and NSPE when we finished the website anyway, using his work and associating with a business when he knew they were doing dishonest practices. He never informed the proper authorities. He just decided that he would finish what he was supposed to do and not worry about the consequences of his actions.

I feel like the social contract of contractarianism was broken when he made the website and coded the quiz. Contractarianism believes that we should write the social contract we want to live by, by making choices for our lives to all live together and have good existences. But the girls that took the quiz were not given any preferences about what drug they could take and then choose the one that would fit them best. The examination only gave them one option, even if something else on the market would better suit them and their needs. I would have gone to my bosses and stressed that we were not living up to the Code of Ethics we should live by as computing professionals by following the client's requirements. We are not following the code

because the requirements say that “all roads lead to the client’s drug” and do not give general information but directly marketing their drug to teenage girls and taking their choices away.

Mary Beth Armstrong’s *Confidentiality: A Comparison Across the Professions of Medicine, Engineering and Accounting* had one concept that was central to me, and that professional confidentiality is recognized as a prima facie duty, and it is morally binding on professionals unless it conflicts with equal or more substantial responsibilities. Sometimes, keeping confidentiality might be an overriding factor that might conflict with keeping prima facie duties. There are four requirements for justified infringements of prima facie rules. That the moral objective justifying the violation must have a realistic prospect of achievement, infringing a prima facie duty must be necessary for the circumstances meaning that there are no morally preferable alternative actions that could be substituted. The last two rules are the form of infringement selected must constitute the infringement possible, commensurate with achieving the primary goal of the action, and the agent must seek to minimize the effects of the breach.

Sourour kept the responsibility of his prima facie duties by maintaining his client’s confidentiality, concealing their actions of not providing a website that was supposed to be providing general information. One of Sourour’s colleagues sent him an email about a young girl who took the drug and killed herself because of its side effects. Sourour still kept the secrets of the pharmaceutical company to himself, never letting go of his morally binding duty. He still went to the dinner that the client invented the team to after discovering what happened to the girl. When Sourour found out that his sister was taking the medication, he was building the site for, Sourour never once told her what he was doing with creating the website. Even though he could have tried to develop ways to override the prima facie duties, he never did.

If I were in the situation that Sourour was in, I would have used exceptions to the prima facie rules to see if I had options to do the morally right thing without giving up the confidentiality first. If I could not find a way to do this, I would infringe on the prima facie rules because there was no moral alternative that I could have used. I would even go as far as excusing myself from the project because, as the person making the website and coding the quiz, I have to be the one to take responsibility for what I am putting out into the world. And all professions should be concerned and must strive to advance the public interest. Contractarianism takes the approach that ethics problems should ask what solution could the contracting parties agree upon and no inequalities of power enabling one party to force unjust solutions upon someone else.

There should be no malicious ambitions over the people entering the social contract. Making the requirements for the quiz the way they did was solely for their greed and not for the benefit of those who used the site.

I am aware that some of my actions would not be the right course of action in a professional setting. I am not the owner of the company but merely an employee. But we have professional ethics for a reason, and selfish gains or greed should never outweigh what is morally right. Especially at the expense of someone's life, how could I say that I am a part of the organization that sets the codes the computing professionals should strive to uphold. Then not follow the code because I am getting paid to do so, or I should keep it a secret because of an obligation. There would always be more projects to do, but how could I live with the consequences of my actions if someone were to lose their life after using my website. The one central concept of all the professional Codes of Ethics was that you must protect human well-being. I believe that Sourour's actions were morally wrong according to contractarianism. He was not concerned with keeping his social contract with the general public or their value of life.