

Case Analysis on Professional Ethics

As a coder or worker in general sometimes you are the last line of defense against the larger entity when it comes to ethical decisions. Those entities many times do not follow a social contract or care about ethical practices. In his article, Sourour explains that there are strict limits on how pharmaceutical companies can advertise prescription drugs and because of that, they tried to bypass the system by making websites to target an audience for their prescription drugs. If a company is hiring someone to bypass a law, then it is probably already an ethical issue or questions should be raised. He later states, "I wish I could tell you that when I first saw those requirements they bothered me. But the truth is, I didn't think much of it at the time. I had a job to do, and I did it" (pg. 1). Later, once he found out that a girl committed suicide after taking the medication, he started feeling responsible. After resigning he said, "As developers, we are often one of the last lines of defense against potentially dangerous and unethical practices" and "Since that day, I always try to think twice about the effects of my code before I write it. I hope that you will too". In this case analysis I will argue that contractarian ethics shows us that the code was morally problematic because (it forced teenage girls to take a specific medication with bad side effects), and that Sourour should have (brought up the issue that the quiz was flawed) because it doesn't respect the social contract that society would uphold with teenage girls being misguided into taking bad medication.

The ACM code of ethics provides a great explanation for what a code of ethics is. It states that the code is "to serve as a basis for ethical decision making in the conduct of professional work. Secondly, they may serve as a basis for judging the merit of a formal complaint pertaining to violation of professional ethical standards" (pg. 1). To simplify this, I would define the code as a guideline to help each worker think about ethical situations before they complete a job. The ACM code of ethic pertains to those working in computing machinery, but codes of ethics in general should all consist of similar ethical morals.

One point the ACM makes under the professional responsibilities section is to "honor contracts, agreements, and assigned responsibilities" (pg. 5). In this section it is stated that the contracted worker has an obligation to complete the assignment if he/she agrees to the contract. They are also responsible for any consequences that make occur if completing the contract results in negative consequences. This is a harsh reality for workers who do not think about how their work could affect others before accepting the job. In Sourour's situation, he accepted the job without thinking about consequences. This happens a lot because, the workers do not have much consideration when choosing a project. If they don't do the projects given to them, they will likely be without a job or money. They just do the job given to them and try not to ask questions. Therefore, ethics is so important. Sourour should have considered that what he would be doing for a pharmaceutical company could have consequences. The pharmaceutical company also

acted immorally by purposefully trying to deceive the public with this website. A social contract would say that we all agree that deceiving others is bad. No one wants to be deceived into taking a drug with bad side effects that cause depression and suicidal thoughts. Knowing this they still pushed their agenda and caused Sourour to commit an immoral act in the process.

Another key point is the social responsibilities outlined by the code. It states, “Articulate social responsibilities of members of an organizational unit and encourage full acceptance of those responsibilities” (pg. 6). The code suggests that because organizations have a large impact on the public, they have a duty to society. This could be interpreted through a contractarian lens saying that those who do things that affect society should adhere by a moral standard accepted by the members in the society. Looking at the ethical perspective, Sourour should have realized how his code was going to affect the young girls that his code was targeting. If he had thought, would fixing a quiz that convinced young girls that they needed a specific prescription be morally correct by anyone else, he most likely could have brought up that the contract was morally wrong. He unfortunately didn’t realize this until it was too late and saw the report about the suicide. He did manage to convince his sister to get off the drug after finding out, but it was too late to fix his mistake of not acting morally in the first place.

The NSPE (National Society of Professional Engineers) also has a good point in their code of ethics. It states, “Engineers shall avoid deceptive acts” (pg. 1). In contractarianism, the moral code is defined by what the general society accepts as being good or bad. As an implicit rule, most societies expect corporations or businesses to be up front and honest with their customers. We expect that another person should tell the truth because it is the morally right thing to do. If engineers lied about a bridge being safe, they would be breaking the moral code and putting others in harms way. The same can be said with online websites. The websites should not be used to deceive others. No one in society thinks it is moral to be scammed or having their information stolen online. Sourour or his project manager should have brought up a concern when she tested the website, and it only gave her the same result. Instead, she just said, “Oh. Okay. Cool.” (pg. 1). Their actions weren’t moral. Instead of saying, this is a problem and could hurt others, they accepted it as it was and just wanted to complete the job. Sourour said that he “chalked this tactic up to marketing”. He did not do his duty to society by questioning the tactic and bringing it up as a concern.

Armstrong discusses the term “whistleblowing” in his paper on confidentiality. This term is used when someone skips the chain of command within a company and tries to report a discrepancy to a higher authority without permission. This is usually perceived as a bad thing within the company but is sometimes a necessary tool to get an important point across if the safety of others is at risk. He says that whistleblowing can be seen as “a valid means of last resort to discharge a duty to protect the public from harm” (pg. 76). The reason it should be seen as a last resort is because of the risks involved in reporting to a higher authority. Those are that the ones in a higher position can deny hearing of such a concern and put all the blame on the whistleblower

themselves, it can be considered a breach of loyalty, and someone will have to take the blame for whatever the issue was that needed resolved before being brought to the CEO or board of directors. However, a whistleblower can be used as an ethical tool. Under the right circumstances, the employee should take the risk in order to prevent harm from coming to society or a group of individuals. In Sourour's case, he should have started by bringing up the concern with his project manager, and if she wasn't willing to help, posed a question to the pharmaceutical company themselves. If he was blamed for the website not being completed or fired, the outcome was no different than him having to resign after finding out that his coding resulted in a death of a teenage girl. Unfortunately, if you considered the company or corporation as the "society" with a moral agreement, whistleblowing would be considered a negative action. Almost everyone within the company would disagree with the actions. The rest of society would also consider "snitching" or whistleblowing to be a bad action, even if it resulted in a positive consequence for the society. That is looking at it as an understanding from a moral agreement within society.

Another case that Armstrong mentions in his paper is the Tarasoff case. In the case, a staff psychologist is informed by a client that he was having harmful thoughts directed at a female student. The psychologist ended up reporting it to the police, but the police let the suspect go and two months later the suspect killed the female student. The court ruled that Dr. Moore, the psychologist, should have had the duty to warn and then the duty to protect the female student. The doctor was clearly using some ethical thinking because he warned the police but because of laws, they couldn't arrest him before anything occurred. Psychologists are also bound by some sort of privacy clause where they aren't supposed to give details of what they hear from their patients. However, it could be argued that through a social contract, the ethical thing to do would be at least warn the individual who could be potentially harmed so they can do something to protect themselves or seek help from others for protection. This could have been done through multiple ways even without disclosing much information from the client. Sourour followed this ideal by warning his sister after he found out the potential dangers of the prescribed drug. He obviously didn't want anymore harm to come from the website that he helped create. If he had thought more ethically to begin with, he could at least bring up the concern or warn the company that the website could be potentially harmful and let them make a more informed decision before releasing the site and allowing the death of the teenage girl.

A final concept brought up by Armstrong is the principle "The Public Interest" (pg. 84). In this he states, "In discharging their professional responsibilities, members may encounter conflicting pressures from among several groups. In resolving those conflicts, members should act with integrity, guided by the precept that when members fulfill their responsibility to the public, clients, and employers' interests are best served" (pg. 85). I analyzed this as saying that if the individual is willing to give up his/her responsibilities as a professional for the good of the public, then the result will be the greatest for everyone else. For example, if Sourour had initially stopped the website from being published and the girl in the news didn't commit suicide, although the company would not have had their initial profits, they would not have had the

financial stress of the many lawsuits that followed or the knowledge that their drug killed and harmed many young females. I would argue that giving up your professional obligation could be considered one of the most ethical decisions you could make in the interest of adhering to the social contract and possibly saving someone's life.

In conclusion, professional ethics should be a higher priority in many professions. There are many constraints that make it difficult to make the ethical decision when it comes to performing one's job. We should change the social contract to make it normal for individuals to stand against large companies and corporations to make an ethical decision that impacts us as members in that society. While many would agree that we all prioritize our safety, we do not make enough of an effort to ensure the safety of those around us. One counter to this argument is that a code of ethics might not only be seen as a social contract between workers to do the right thing for their society, but that making the decision is more of a utilitarianism to do the right thing for everyone. After going through all the codes, it seems like instead of focusing on the smaller societies regarding a situation, the public good could be improved through codes of ethics as well. Either way, they should be valued more and better known in multiple industries. The ability to think ethically can not just improve the public but save individual lives as well.