

# CMSC 304

## Ethical Analysis Worksheet

*General comments: This is NOT a linear process. Expect to bounce around on the worksheet and come back to different questions at different times. Also, remember that many of the blanks provided are for brainstorming; subsequent steps will let you narrow down the set of things that should be considered.*

- 1. Identify the relevant facts** (past/future, known/concluded).
  - a.** Provide a comprehensive list of facts that are or may be relevant.

What do we know about the topic? What existing information is there? What facts did you find while researching that you want to make sure to mention? That affect whether a particular policy is a good idea, is feasible to implement, and is ethical?

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*(additional information can go on a separate sheet of paper.)*

- 2. Identify the possible policies.**
  - a.** Generate a broad set of reasonable alternative policies. (Think broadly!)

Policy 1: \_\_\_\_\_

Policy 2: \_\_\_\_\_

Policy 3: \_\_\_\_\_

Policy 4: \_\_\_\_\_

*(additional possible policies can go on a separate sheet of paper.)*

**b. Who is making the decisions?** (E.g., for each of the policies above, what body or bodies would have to decide on and implement it?) Be specific – “government” is way too broad.

For policy 1: \_\_\_\_\_

For policy 2: \_\_\_\_\_

For policy 3: \_\_\_\_\_

For policy 4: \_\_\_\_\_

**c. Who are the major *types* of stakeholders affected by the policies?** Again, be specific (“the government” or “consumers” or “users” are too broad).

Policy 1

Policy 2

Policy 3

Policy 4

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Additional Comments on Stakeholders (optional): \_\_\_\_\_

\_\_\_\_\_

### 3. Analyze each policy.

- a. Impartially consider each policy from a deontological and consequential point of view.
- b. Does the policy pass the tests of fairness and justice? Are some individuals deprived of their rights at the expense of others? Does it make a reasonable *universal* policy?
- c. Reject any policies that are *prima facie* excessively unethical, unfair, or unjust.

Should a policy be rejected out of hand (yes or no), and if so, why – is it unjust / inherently unethical? Is it fair and just? Is it impartial and universal? Briefly explain why (especially for rejected policies).

Policy 1?

\_\_\_\_\_

Policy 2?

\_\_\_\_\_

Policy 3?

\_\_\_\_\_

Policy 4?

\_\_\_\_\_

**4. Identify the principles and values.**

**a. What are the goods to be protected or the rights of the individuals involved?**

Are the ethical questions here about privacy? Safety (life and limb)? Human dignity (what parts)? Happiness? Autonomy? Profit from intellectual property? Control of distribution of IP? Legality / rule following? Some combination of the above (usually)? Give both the relevant principles / values and a brief explanation of why you think these are the core ethical values relevant to the situation. *Your primary goal for your analysis is to choose a policy and defend it based on ethical principles; this is one of the most important sections.*

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*(additional analysis can go on a separate sheet of paper.)*

**5. Identify the consequences (known or potential, positive and negative).**

**a. Consider the consequences of *each* policy (that you did not reject in Step 3), with respect to *each* group of stakeholders.**

Policy 1:

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Stakeholder 2: \_\_\_\_\_

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Stakeholder 3: \_\_\_\_\_

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Stakeholder 4: \_\_\_\_\_

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**Policy 2:**

Stakeholder 1: \_\_\_\_\_

\_\_\_\_\_

Stakeholder 2: \_\_\_\_\_

\_\_\_\_\_

Stakeholder 3: \_\_\_\_\_

\_\_\_\_\_

Stakeholder 4: \_\_\_\_\_

\_\_\_\_\_

**Policy 3:**

Stakeholder 1: \_\_\_\_\_

\_\_\_\_\_

Stakeholder 2: \_\_\_\_\_

\_\_\_\_\_

Stakeholder 3: \_\_\_\_\_

\_\_\_\_\_

Stakeholder 4: \_\_\_\_\_

\_\_\_\_\_

**Policy 4:**

Stakeholder 1: \_\_\_\_\_

\_\_\_\_\_

Stakeholder 2: \_\_\_\_\_

\_\_\_\_\_

Stakeholder 3: \_\_\_\_\_

\_\_\_\_\_

Stakeholder 4: \_\_\_\_\_

\_\_\_\_\_

**Identify applicable laws.**

**b. Do they require or prohibit any actions by the individuals involved?**

Law/regulation/ruling #1 and its implications: \_\_\_\_\_

\_\_\_\_\_

#2 and implications: \_\_\_\_\_

\_\_\_\_\_

#3 and implications: \_\_\_\_\_

\_\_\_\_\_

#4 and implications: \_\_\_\_\_

\_\_\_\_\_

**6. Identify and analyze the tradeoffs.**

**a. Consider each policy with respect to principles that are in conflict.**

**b. Analyze the “goodness/harm ratio” – how much positive benefit is created for how many people, relative to the negative consequences?**

Pros and cons of each policy, with respect to rights, values, and principles (as identified in step 4):

Policy 1: \_\_\_\_\_

\_\_\_\_\_

Policy 2: \_\_\_\_\_

\_\_\_\_\_

Policy 3: \_\_\_\_\_

\_\_\_\_\_

Policy 4: \_\_\_\_\_

\_\_\_\_\_

**7. Analyze the ethical issues with respect to the laws.**

**a. Are the relevant laws consistent or inconsistent with the ethical tradeoffs?**

For each law identified, how does it support or interact with the pros and cons identified above? (For example, does support only one side of a tradeoff between security and autonomy, or strike a balance?) What principles does it support, and what principles does it violate or infringe on? Given your conclusion in Step 10 (below), should it be changed? How? Should it be revoked?

Law/regulation/ruling #1: \_\_\_\_\_

\_\_\_\_\_

#2: \_\_\_\_\_

\_\_\_\_\_

#3: \_\_\_\_\_

\_\_\_\_\_

#4: \_\_\_\_\_

\_\_\_\_\_

**8. Analyze the ethical issues with respect to the relevant professional code(s) of ethics.**

- a. Is the professional code consistent or inconsistent with the ethical tradeoffs?

You *MAY* refer to the ACM Code of Ethics and its requirements for software practitioners to support your chosen policy or analyze the different issues described (and indeed, you may find it helpful to do so). However, you are not required to do so for this assignment. <http://www.acm.org/about/code-of-ethics>

**9. Draw and justify a conclusion.**

- a. What action *should* be taken, based on the policy that is the most ethical (most fair/just/happiness-maximizing) of the available options?
- b. If this action is inconsistent with the applicable laws, then your conclusion may include a recommendation that the law should be changed.

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*(additional analysis, descriptions, or discussion can go on a separate sheet of paper.)*