

What is Right and What is Wrong?
*How can we help young people use information and
communication technologies in an ethical manner?*

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October 2000
Presented at National Conference on Cyberethics

To address the question of how to help young people use information and communication technologies in an ethical manner, we must consider how young people learn to engage in an ethical behavior and how information and communication technologies and the emerging cyber environment may impact their learning and behavior.

How do young people learn to engage in an ethical behavior?

As young people grow, their emerging cognitive development enables them to gain increasingly accurate perceptions of the world around them. Three principal external influences combine with this emerging cognitive development to affect moral development and behavior. These factors are:

- Recognition that an action has caused harm. When a young person engages in inappropriate action and recognizes that his or her action has caused harm to another, this leads to an empathic response, which leads to feelings of remorse.
- Social disapproval. When a young person engages in inappropriate action and recognizes that others have become aware of and disapprove of this action, this leads to "loss of face" and feelings of shame.
- Punishment by authority. When a young person engages in an inappropriate action and this action is detected by a person with authority over the young person, this leads to punishment imposed by the person in authority, which can lead to feelings of regret, but also can lead to anger at the authority.

These three external influences not only affect behavior in both young people and older people, they also play a major role in a young person's moral development. During adolescence, young people develop a sense of their own personal identity. This personal identity incorporates an internalized personal moral code. In adolescents and adults, our personal moral code functions as an internal influence for ethical and responsible behavior. Behavior is influenced both by the external factors, as well as the internalized moral code.

When we perceive that we have violated our own personal moral code, we feel guilty -- unless we can rationalize our actions in some manner. We are all willing, under certain circumstances to waiver from our personal moral code. We each have an internalized limit about how far we are willing to waiver from the ideal set forth in our personal moral code. This limit protects against unlimited transgressions. The boundaries of this limit vary according to the person.

There are a number of factors that appear to influence behavior that waivers from our personal moral code. We are more likely to waiver when our assessment is that:

- There is an extremely limited chance or no chance of detection and punishment.
- The transgression will not cause any perceptible harm.

- The harm may be perceptible, but is small in comparison with the personal benefit we will gain.
- The harm is to a large entity, such as a corporation, and no specific or known person will suffer any loss.
- Many other people engage in such behavior, even though others may consider the behavior may be considered illegal or unethical.
- The entity or individual that is or could be harmed by the action has engaged in unfair or unjust actions.

How do information and communication technologies impact the ethical behavior of young people?

Information and communication technologies have a profound impact on the external influences of behavior

Technology does not provide tangible feedback. When people use technology, there is a lack of tangible feedback about the consequences of actions on others. People are distanced from a perception of the harm that their behavior has caused. This lack of tangible feedback undermines the empathic response, and thus undermines feelings of remorse. For example, the lack of tangible feedback leads some people to believe (or rationalize) that breaking into a computer system is not at all the same as breaking into a house.

Technology allows us to become invisible. In fact, people are not invisible when they use the Internet. They leave "cyberfootprints" wherever they go. But, despite this reality, the perception of invisibility persists. Some actions using technology truly are invisible, such as borrowing a friend's software program and installing it on your own computer. It is also possible to increase the level of invisibility with the use of technology tools. Establishing a pseudonymous account enhances invisibility. The fact that many people may be engaged in a similar activity also leads to a perception of invisibility because individual actions are such a "drop in the pond" that they are unlikely to be detected. How many of the 28 million licensed users of Napster will be detected and suffer punishment for their actions?

Invisibility undermines the potential impact of both authority and social disapproval. If a transgression cannot be detected and you are unlikely to be punished, threats of punishment are not likely to have any impact whatsoever on behavior.

The issue of the impact of invisibility on human behavior is not new. Plato raised this very same issue in his story about the Ring of Gyges. In this story, a shepherd found a magical ring. When the stone was turned to the inside, the shepherd became invisible. Thus questions were raised: How will we choose to behave if we are invisible? Will we do whatever we want to do because we know that nobody can catch and punish us? Will we do something that could hurt someone because we know that nobody can tell who did this? Or will we do what we know is right?

It is important to recognize that young people are using the Internet, and thus are influenced by the lack of tangible feedback and perceptions of invisibility, at the same time that they are in the process of developing their internalized personal moral code. We do not know how this will affect their development and internalization process.

Effective strategies to address the influences of the lack of tangible feedback and perception of invisibility

Help young people understand how actions can cause harm to unseen others. Empathy actually has two components -- a feeling component and a thinking component. When we see or hear someone who is happy or sad, we begin to feel the same way inside. This is the feeling part of empathy. As young people grow, they also gain the ability to understand cognitively how other people think and feel. They learn to look at things from their perspective. This is the thinking part of empathy. Thinking about how someone else feels can also affect how we feel inside. The lack of tangible feedback impairs the feeling component of empathy. We must help young people learn to rely on the thinking part of empathy when they use information

technologies.

Help young people learn to do what is right, regardless of the potential of detection and punishment. To do this, we must enhance their reliance on their own internalized personal moral code. We must shift our focus away from rules and threats of punishments. Threats of punishment are simply an ineffective approach when the likelihood of detection and punishment is so remote. The message: "Don't do this because it is against the rules" has limited impact if you believe that you are invisible and that your actions cannot and will not be detected and punished.

Instead, we must focus the attention of young people on the reasons for the rules. Rules are generally enacted because actions that violate the rules can cause harm to someone else. So our focus must be on the potential harm, not the rule. In a world where we are invisible, a much more powerful message is: "Don't do this because if you do you will harm someone by (describe the possible harmful impact of the action) "

Help young people learn to use effective decision-making strategies to help guide their behavior in a responsible way. These strategies must be effective even though young people do not have tangible feedback and may perceive themselves to be invisible. Here are some of the ethical decision-making strategies that I recommend to young people:

- The Golden Rule Test -- How would you feel if someone did the same thing to you?
- The Mom or Dad (or Equivalent) Test -- What would your mom or dad (or another person who you look to for guidance) think?
- The Front Page Test -- If your action were reported on the front page of the newspaper, what would other people think?
- The "If Everybody Did It" Test -- What would happen if everybody made the decision to do this?
- The Check Inside Test -- How do you feel inside?

How does the emerging cyber environment impact the ethical behavior of young people?

Our society is undergoing significant and substantial changes as a result of the new information and communication technologies. Social change will bring about changes in social expectations about what is right and wrong. Changes in social expectations most often precede changes in laws. In such an environment, it becomes difficult to make "black and white" pronouncements about the appropriateness or inappropriateness of certain actions.

For example, while it may -- or may not -- be a crime to swap files of musical recordings, a majority of the public that has an opinion on this matter does not believe that such actions are wrong¹. It will take years for this question to be resolved through the court system. And if people do not appreciate the conclusion of the court, the law can be changed. In the meantime, the recording industry can be expected to go through profound changes. Charting a course of "what is right and what is wrong" through these changing waters presents some significant difficulties.

There are two major themes that consistently emerge when people talk about the "rightness" or "wrongness" of certain actions using new information and communication technologies. These two themes are: 1) Old world rules do not apply in this new world; and 2) They (generally referring to a corporation) don't play fair, so why should I. These two themes reflect the foundational aspects of the social change that is occurring.

¹ Lenhart, A. & Fox, S. (2000) *Downloading Free Music: Internet music lovers don't think it's stealing*. Washington DC: Pew Internet & American Life

We can expect significant change in social expectations and laws related to copyright. Copyright laws protect interests in creative works. Copyright laws have always been a reflection of social expectations about the relationship between the creator and society. These laws have constantly been modified in the face of changed social expectations and new technologies.

"An intellectual property system is made up of laws and practices and the relationships they generate among individuals and institutions. A system of this kind reflects the larger society of which it is a part. For, although intellectual property rights have been recognized in natural law, historically, governments have granted such rights to achieve a variety of policy goals. This is equally true today. Which policy goals a particular intellectual property system is designed to serve depends, in large part, in history, circumstances, and the overriding needs of society.²"

Copyright laws emerged after the invention of the printing press. The first copyright laws were used as a tool of the monarchs to regulate trade and censor information. The government granted publishers a monopoly right to publish, distribute and sell their works, but only if the publishers were willing to abide by censorship laws. Two hundred years later, in the *Statute of Anne*, the law shifted to protect the rights of the authors. This shift was brought about, in part, by growing acceptance of the concept that an author or creator had a natural right in the work he or she created. With the emergence of democracies, copyright laws were viewed as a mechanism to foster freedom of expression and the creation and dissemination of new ideas. In the United States Constitution, the copyright was set forth as a balance -- providing protection for the rights of creators, because by doing so, society would benefit.

Copyright laws appear to have a self-correcting mechanism. Whenever the interests of creators get out of balance with the interests of society, or visa versa, a correction is made. For example, the U.S. copyright law enacted in 1909 was quite absolute in terms of the rights of the creators. To correct what was perceived as unfairness related to certain socially-beneficial uses of copyrighted works, the courts carved out a "fair use exemption" as a defense to a charge of copyright infringement. This "fair use exemption" became embodied in law with the statutory changes in copyright that were enacted in 1976.

With the emergence of the Information Age, the rights and benefits equation of copyright law is being challenged. Some argue that the law should be restructured to favor business interests over individual interests and economic goals over social goals. Frequently those arguing for the importance of business interests are not actually the creators, but companies that are benefiting from the dissemination of the creative works of others. The free flow of information that is made possible by the information technologies undermines the ability of those promoting business interest and economic goals to maintain control of these works.

A contrary philosophy is also present on the Internet. This philosophy is captured in the phrase "information wants to be free." Essentially, individuals promoting this philosophy want to favor individual interests and social goals over business interests and economic goals. However, those arguing for this perspective fail to recognize that there is "no free lunch." If all information is free, how are those individuals and companies that are creating such information going to be compensated for their efforts?

It is important to consider the relationship between who pays and who has control over what gets created. If rich people provide support for creators, then rich people control what gets created. If government supports the creators, then government controls what gets created. If publishers provide the support, then publishers have the control. If advertisers provide the support, then advertisers have the control. There is only way that individuals in society can ensure that the kinds of works they want to see created, are created. This is by ensuring that the creators whose works they appreciate receive adequate compensation for their efforts.

² U.S. Congress, Office of Technology Assessment. (1986) *Intellectual Property Rights in an Age of Electronics and Information*. OTA-CIT-302 Washington DC: US Government Printing Office. p. 19.

Another significant tension point in copyright law is grounded in the changing relationship between creators, publishers, and the audience for the creative work. As noted above, the first copyright law protected the interests of the publishers. When the law was changed to shift the rights to the creator, there was no significant change in the role of the publisher. Creators still had no recourse to distribute their works other than by assigning or licensing the rights to a publisher. A significant industry sector has been established around the publication and distribution of creative works. While a portion of the income received from the publication and distribution of a creative work is returned to the creator, a significant portion of the income is retained by the publisher. The publishing industry has always played a significant role in influencing the provisions of copyright law, both nationally and internationally.

The Internet has introduced the potential for a significant change in this relationship. The Internet allows for the direct relationship between creators and their audiences. Creators can now distribute their creative works directly to their audience, without the need for the publisher. Creators will be able to provide their works to their audience at significantly lower cost than has been the traditional cost of a published work and receive a significantly higher level of income from this distribution.

Any company or industry sector whose business model is based on the distribution of the creative works of others will undergo significant and profound change. The result of this change in the relationship of creators, publishers, and audience will be an incredible flourishing of creative activity, which will be of great benefit to society.

This change in relationships will have a profound impact on how people make decisions about the appropriateness of making copies of creative works. There is an innate respect for the natural right of the creator -- which results in a feeling of personal responsibility to the creator. When the "victim" of copyright infringement is a publishing company, many people rationalize that such behavior is acceptable, because the harm is being inflicted upon a corporation, not the creator. When people have a direct relationship with a creator, they are much more likely to respect the natural and legally protected rights of the creator. They are much less likely to feel comfortable if they make a copy of the creator's work or use the creator's work in a manner that has not been authorized.

To support the emerging new model for copyright, we need to focus our efforts on enhancing recognition of the value provided by creators to society and the need to provide just and fair compensation to creators for their efforts.

Empowerment of the Disempowered and Disempowerment of Power

What happened to monarchies and the Catholic Church in the century after the invention of the printing press? Democracy and Reformation..

Powerful institutions maintain their hold on power by controlling the flow of information. Technologies which enhance the ability of people to communicate and share information with each other become the vehicle for empowerment of the disempowered and disempowerment of those in power. This has happened in the past and it is happening now.

When the powerful institutions in society are not acting in accord with universal moral values, they will inevitably be forced to change. The most powerful institutions in our global society today are the corporations. In the view of many people throughout the world, we have allowed the creation of an unjust, uncaring, and unethical economic order that is held in place through corporate power and the influence of corporations on governments and laws.

"We often hear about the need to restructure the economies of the poorer countries and about the wealthier nations being duty-bound to help them accomplish this. But I deem it even more important that we should begin to also think about another restructuring — a restructuring of the entire system of values which forms the basis of our civilization today³."

³ Statement of Vaclav Havel, President of Czech, 9/26/00

Some of what is considered to be misbehavior on the Internet are actions that are being undertaken to disempower the corporations. Sometimes this action is taken directly, such as when hackers penetrate a corporate web site to post objections to the corporation's actions or when hackers seek security problems in Microsoft products in an attempt to undermine the monopoly power of Microsoft. Other times, actions are more indirect. When people swap musical files, their intention is most likely to serve their own personal interest, but their actions will also undermine the power of the recording industry.

Throughout our history, we have applauded the actions of individuals who have acted in a way that was considered inappropriate and illegal by the individuals in power at the time. These people are our heroes: Jesus Christ, who overturned the tables of the moneychangers in the synagogue; Robin Hood who stole from the rich to give to the poor; the American patriots who "hacked" onto a British merchant ship and threw the tea overboard in protest against corrupt power; Mahatma Gandhi who led a revolution against corrupt power through civil disobedience and without firing a single shot.

Unfortunately, a more common reaction of individuals when they perceive that those in power are engaging in unjust, uncaring, and unethical behavior is to behave in their own self interest. The misbehavior of others, especially those with greater power, allows individuals to rationalize their own misbehavior.

Certainly, we must and should focus our efforts on educating our young people to engage in ethical and responsible use of the Internet and other information technologies. But doing so in the current environment presents significant difficulties. It is extremely difficult to teach young people to do what is right when others are doing what is plainly wrong. When young people perceive that they are not valued and that others are unjustly enriching themselves often at their expense, this provides a powerful incentive for them to ignore anyone else's interests and do whatever they think they can do without getting caught.

- How do we impress upon young people the importance of respecting Microsoft's copyrights in their software when Microsoft has used its monopoly position to suppress the creation of competitive products and overcharge for its own products?
- How do we encourage young people to respect the copyrights of performing artists, when the recording industry has been using unfair marketing practices to raise the price of CDs resulting in over \$400 million dollars of unfair profits to the industry?
- How do we encourage young people to avoid sites that promote pornography, hatred, and violence on the Internet when our message that such material is unacceptable is so totally undermined by the messages they are receiving from the marketing moguls of the entertainment media?
- How do we impress upon young people that it is unethical for them to hack into a computer system to leave their mark, when dot.com companies are hacking into their computers, leaving marks, and using those marks to track and record personal and private activities, all without their permission? Why is it when an individual hacks into company's computer to leave a mark it is considered a crime, but what a company hacks into an individual's computer it is considered good business?
- How do we convey to our young people that what matter most is who they are as a person and what contributions they make to others, when advertisers are using slick psychological techniques to convince them that the only important thing in life is what they own?
- How do we let our youth know that they are valued and important, when in the eyes of the dot.com world they are merely private lives to be profiled, eyeballs to be captured, and pocketbooks to be lightened?

If we wish to be successful in helping young people learn to engage in ethical behavior in their use of the Internet and information technologies, then we must demand a higher level of ethical behavior from industry, especially the information technology and media industry.

Last fall, Jack Valenti, Director of the Motion Picture Industry, proposed the development of a course for children entitled "What is Right and What is Plainly Wrong." He proposed that this course be delivered for a half hour every day to students in preschool and elementary school. Mr. Valenti had a good idea: the development of standards about what is right and what is wrong and the dedication of a half hour per day to consider behavior in accord with those standards. Unfortunately, he was addressing the wrong audience. We would achieve much greater success in our efforts to raise children to engage in ethical behavior if industry would develop standards that address just, caring, and ethical corporate behavior and if corporate executives would spend a half hour per day considering the ethical implications of their business decisions.

Mahatma Gandhi provided some guidance on making such decisions:

"Recall the face of the poorest and the weakest man whom you may have seen and ask yourself if the step you contemplate is going to be of any use to him."

Even though it is difficult to teach young people to do what is right when others are doing what is plainly wrong, we must try. We must impress upon them that the wrong actions of others do not justify their own wrong acts. We must help them to understand that if they wish to live in a just, caring, and ethical world, they must be the change they wish to see.