

Are codes of ethics useful?

Codes of ethics or codes of conduct (or both) are often seen as one of the defining parts of professions and of professional organisations. Members of a profession or a professional body are expected to abide by the code. The Australian Computer Society (ACS) is no exception and, in addition to its own code, has endorsed the 'Software engineering code of ethics and professional practice' (ACM).

Despite the fact that codes of ethics are commonplace, controversy surrounds their usefulness and this is evident in the two contributions of this section. Both argue for the value of codes, but such arguments would not be necessary were it not for the existence of many doubters. In this introduction we will set out some of the more important arguments on both sides.

Various benefits of codes of ethics for information and communications technology (ICT) professionals have been put forward. Codes of ethics motivate members of an association to behave ethically and inspire them because they 'provide a positive stimulus for ethical conduct'. Codes of ethics also guide members through the ethical problems that they face in their working life and educate them about what is acceptable and unacceptable in relation to their interaction with others. Codes of ethics can also be used to discipline members (if the code has teeth) by, for example, causing a member to be sacked from his/her job for violating the code of ethics (Tavani, 2007: 101). In addition to these, George Reynolds (2003) lists four more benefits of codes of ethics. According to him, codes of ethics improve ethical decision-making since adherence to them means that professionals will use a common set of core values and ideals to serve as guidelines for ethical decision-making. Codes of ethics promote high standards of practice and ethical behaviour because adherence to them reminds the members of their ethical responsibilities and duties when they are tempted to compromise or go against the code amidst competing demands from self, employer, clients, and community. Codes of ethics also enhance the trust and respect from the general public because the trust of the general public is built on the expectation that a professional will behave ethically and adhere to a code of ethics. Finally, codes of ethics provide an evaluation benchmark because professionals can use them to self assess their behaviour at work (Reynolds, 2003).

On the other hand, there are several criticisms of codes of ethics that are adopted by ICT professionals. In his discussion of the criticisms of the codes of ethics for ICT professionals, Herman Tavani (2007) notes that these codes of ethics, unlike the ones in the field of law and medicine, have no 'teeth' in the sense that a violation of the code does not necessarily result in the termination of the employment, or indeed any punishment at all. Furthermore, when limited to only

four traditional areas of concern: privacy, accuracy, property and accessibility, codes of ethics can ultimately be vague, self-serving, inconsistent, unrealistic, unnecessary and incomplete (Tavani, 2007). Next, codes of ethics do not tell professionals what to do when two or more principles in the code conflict with each other. Finally, codes of ethics can give professionals the mistaken notion that all they need to do is to locate a directive and then follow it blindly, when they should have examined, explored, discussed, deliberated, and argued for or against a particular course of action (Tavani, 2007). In addition to the above, there are two more points of criticism against codes of ethics for ICT professionals. The first is that they can be too detailed, static and inflexible for this area: an area that is dynamic and, as such, needs a code that can easily be adapted. The second is that most of the codes are the product of the technological thinking in developed countries and so, those who develop these codes, tend to neglect the differences in cultural and social values (Berleur and Brunnstein, 1996). The discussion above does make some useful points about codes, but it does not tell us if they in fact make any difference to behaviour. In a review of 24 studies of codes, Karen Mather (2007) found that, while the results were indecisive, 15 of those studies supported codes while nine were negative, equivocal or said nothing of their efficacy. Here we mention just a few of the studies that focus on empirical studies of the efficacy of codes. It must be noted that most of the studies involved codes of corporations and not of professional bodies. These studies are, however, still relevant and we comment on their relevance at the end of the section.

Margaret Pierce and John Henry (1996 and 2000) are positive about the efficacy of codes. In their first study they reported that 78 per cent of respondents said that they used professional codes to help guide their ethical decision-making and, in their second, they say that 'the results suggest that the organization is perceived as more disapproving of questionable actions by those computer professionals who work for organisations which have CT [computer technology] ethics codes' (2000: 319). They make the obvious, but easily overlooked, point that 'in order for the codes to be effective, the organization must communicate the codes to the members and make the membership aware of the philosophy embedded in the codes' (1996: 427). Similar findings are reported by Adams, et al (2001): 'This study found the existence of a corporate code of ethics affected both employee ethical behaviour and perceptions of ethics in several ways. Respondents who worked for companies having a code of ethics judged subordinates, co-workers, themselves and especially supervisors and top managers to be more ethical than respondents employed in organizations not having a formal code of ethics'. Furthermore they say, 'Our findings suggest that the mere presence of a code is more important than the content of the code per se'. This latter comment is interesting in the light of criticisms that say that codes are in general too vague to be useful.

Not all research, however, has led to positive conclusions. Chris Cowton and Paul Thompson claim that, while there were some differences in ethical behaviour between the banks that they studied, none were statistically significant different: 'the findings fail to provide firm support for those who would claim that codes have a substantial impact on business practice' (2000: 173). Another report on a study in Hong Kong found that company codes of ethics have a positive impact on the conduct of employees and on the image of the company but not much on relationships between staff or between staff and suppliers and clients (Snell et al, 1999). In another study, which was reported in the same paper, no differences were found and only weak and qualified support was found by Sheila Harrington (1996). Generic codes, as opposed to specific information systems IS codes did have an impact on those who normally have a strong tendency to deny responsibility, but IS codes have less impact and neither had much impact on those more willing to accept responsibility for their actions. Finally, Pearson et al reported two findings of some concern. First, 'The results ... provided very little support for the idea that IS managers are guided by the ethical codes of conduct put forward by the IS professional associations' (1997: 95) and, 'The IS profession should also be concerned by the apparent lack of commitment to respondents proclaim for professional associations ... This raises an interesting question about the role and/or effectiveness of these organizations in the development of ethical standards for the IS profession'(1997: 99).

As mentioned already, the two papers following both argue that codes of ethics can be effective. In the first, Don Gotterbarn, a computer ethicist, after a general discussion of ICT governance that provides a context for codes of ethics, presents a case that even if they are, in a sense, 'toothless tigers' that are not backed up by disciplinary mechanisms, such codes still have an important role to play in professions. According to him, a code of ethics

is a statement to members about the ethical stand of an organisation and profession, a conscience of the profession, an announcement to non-members what the profession standards for ..., it imposes functions on an ethics committee to educate the membership, and it imposes responsibilities on the professional organisation itself.

The last point on responsibility is a particularly important one and reflects Gotterbarn's stance on stakeholders as all those who are impacted by the technology. This is highlighted, too, by his discussion of what he calls the 'micro-macro ethics confusion'. Codes are, according to him, too often understood as speaking just to individuals and not to organisations. Consequently their importance in the bigger picture of ICT's contribution to the quality of life is frequently overlooked.

Michael Bower, a retired long-time practitioner, and Oliver Burmeister, an ICT academic, provide a different sort of defence of codes of ethics, appealing to, at least implicitly, self-interest and reputation as they were outlined in the introduction to the book. They provide two analogies to support their argument that a strong business case can be made for codes of ethics. First, they note that being environmentally friendly provides a commercial advantage, although this was not so in the recent past. If being environmentally friendly is commercially valuable, promoting professionalism based on a code of ethics amongst their ICT staff could have the same effect. They outline some strategies as to how the ACS could help promote this. Their second analogy is the Australian pharmaceutical industry that, they argue, benefits from compliance with its code of conduct, particularly in the areas of risk management and mitigation and consumer confidence. The final part of their paper discusses the importance of keeping a code up to date, particularly with respect to the industry case for the code's importance. This is based on their experience in revising the ACS code of ethics.

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Biographies

Dr Michael Bowern has over 45 years experience as a practitioner, manager, consultant and researcher in the public and private sectors of the ICT industry and academia. His research interests include professionalism and the ethical development of ICT systems, particularly for electronic democracy. He is a senior member of the ACS, and previously has been a member of the ACS committee on computer ethics (CCE). In this position he played a major role in the review of the ACS code of ethics, and in writing the new version.

Dr Oliver Burmeister is a senior lecturer in the School of Computing and Mathematics, at Charles Sturt University. His research is focused on informing the design of mental healthcare systems, particularly those involving seniors. Oliver has a keen interest in ICT ethics and is currently pursuing projects involving privacy considerations for mental healthcare providers, and confidentiality considerations for staff in aged care facilities. Oliver is also the chair of the ACS CCE.

Prof Don Gotterbarn, the Director of the Software Engineering Ethics Research Institute at East Tennessee State University, is also a visiting professor at the Centre for Computing and Social Responsibility in England. He worked as a computer consultant on international software projects for the US navy, the Saudi Arabian navy, vote counting machines and missile defence systems. He has actively researched and promoted professional computer ethics for over 25 years. His awards for this work include: the 'Making a Difference' award (2002) from the Association for Computing Machinery (ACM) group on computing and society, the 'ACM Outstanding Contribution' award (2005) for promoting ethical behaviour of professionals and organisations, and the International Society for Ethics and Information Technology Joseph Weizenbaum award (2010) for his contributions to the field of information and computer ethics.