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DISCOURSE ETHICS AS A MEANS FOR RESOLVING INFORMATION ETHICS DILEMMAS?

Rainer Kuhlen

3.1 Dilemmas

What is a dilemma? In general, a problematic situation where two (and only two) solutions to a given problem both have undesirable consequences — whatever one decides, the result will be undesirable. This can be called a negative dilemma. Or a dilemma is a problematic situation where two (and only two) solutions to a given problem both have attractive desirable consequences — difficult or even impossible to decide which one is more desirable, and to choose both is not possible. This can be called a positive dilemma.

What is an ethical dilemma? A problematic situation where two solutions to a given problem based on two ethical theories are different or even contradictory. Or a problematic situation where two solutions (a) and (b) to a given problem are both ethically demanded but only one can be carried out, not both — whatever one does, doing what is ethically correct (according to (a)) leads inevitably to ethical incorrectness (neglecting demand (b)).

Now, what is an information ethics dilemma?¹ First and very briefly, what is information ethics? We consider information ethics to be the reflection on beliefs, rules and values (in total: on morality) in electronic environments, in particular with respect to producing, exchanging, sharing and using knowledge and information. Morality cannot be derived from a law of nature of whatever sort, nor from metaphysics however grounded, let alone from religion or the will of God. It depends, in the Aristotelian tradition, on the environments in which humans live. These environments change in time and space. Information ethics thus aims at attributing morality on ethical principles according to different theoretical/philosophical theories of ethics.

3.2 Information Ethics Polylemmas

What then is an information ethics dilemma? A problematic situation where an ethically based solution to a given problem is not compatible with other regulatory principles such as (a) conflicting with the law, and sometimes also (b) conflicting with market principles/interests/contracts or (c) with current technological potentials.

Therefore we can expand the concept of an information ethics dilemma to an information ethics polylemma because, in reality, there are many possible conflicts stemming from different regulatory principles (cf. Fig. 1). Here are some examples for conflicts (a) between information ethics and law (Fig. 2), (b) between information ethics and markets principles (Fig. 3), and (c) between information ethics and technologies (Fig. 4). But, of course, there are additional conflicts/contradictions between law and market, law and technologies, and market and technologies (cf. Fig. 5).

¹ Rainer Kuhlen: Ethical foundation of knowledge as a common. International Conference commemorating the 40th Anniversary of the Korean Society for Library and Information Science. Seoul Oct. 8th.2010 -<http://www.kuhlen.name/MATERIALIEN/Publikationen2010/RK-ethical%20foundation%20commons-final-to-print-030910.pdf>

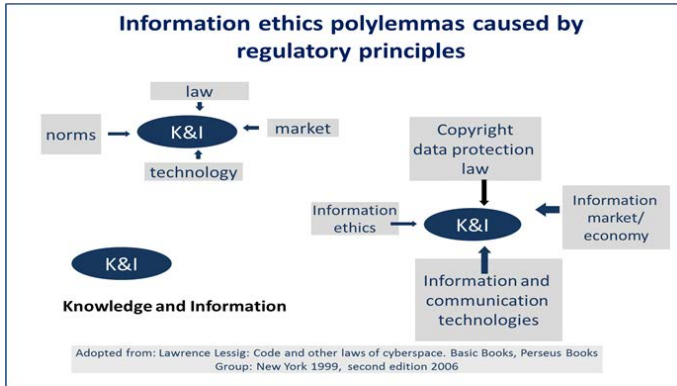


Fig. 1 Information ethics polylemmas/contradictions caused by different regulatory principles

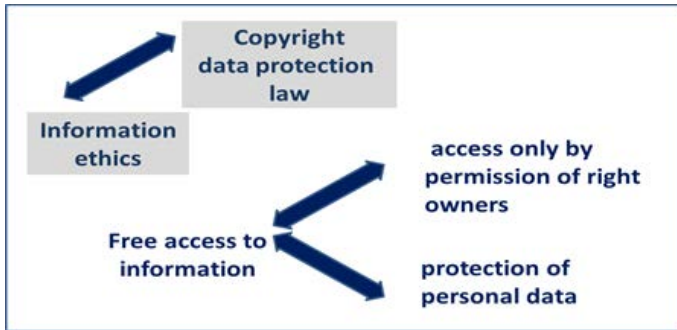


Fig. 2 Contradictions between information ethics and law

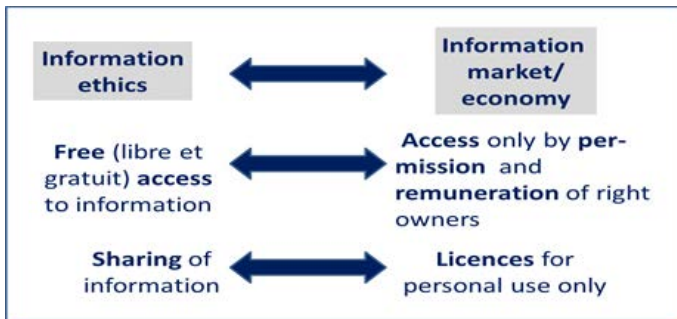


Fig. 3 Contradictions between information ethics and information markets

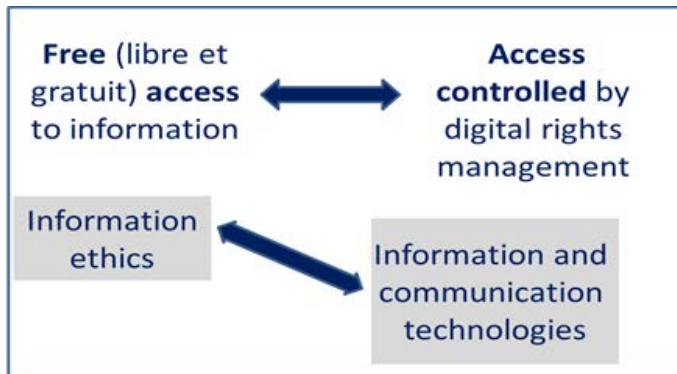


Fig. 4 Contradictions between information ethics and technologies

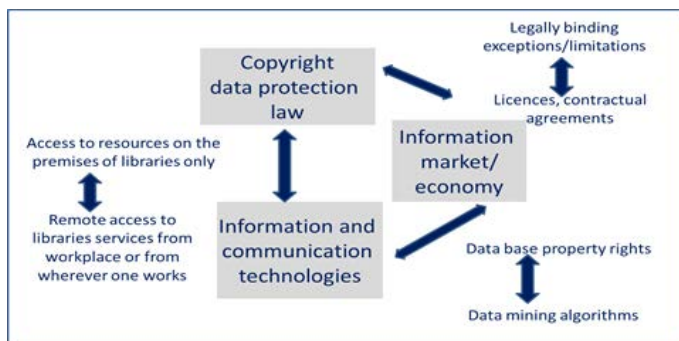


Fig. 5 Information ethics polylemma/contradictions between different regulatory principles

3.3 Information Ethics Discourse

Discourse ethics makes a specific dilemma, a specific case, at least transparent, shows different options for action, and provides information about possible consequences of these options. The options are different if different ethical theories are used in the discourse, for instance a utilitarian ethical approach or the ethics of responsibility/sustainability.

Information ethics discourse is needed not only in the broader fields of information and library science but also in many other domains of knowledge. Fig. 6 gives an example from the UN-Organization FAO (Food Agency Organization).

In a project designed and carried out by Hermann Rösch from the Institute for Information Science, University of Applied Science, Cologne, Germany, case studies are used to solve ethical conflicts and dilemmas.² These case studies are organized according to the following script:

- a. Metadata (title, type of library, location, key words, ...)
- b. Detailed description of the case
- c. Ethical values at stake
 - d. Alternative options for solving the case dilemmas (with reference to ethical professional codes such as the one from IFLA)³
- e. References to the literature
- f. User comments in an electronic forum

Colwell-Chanthaphonh et al.⁴ uses the following framework for ethical problem solving, adapted from Swazey and Bird⁵.

1. “**Identify the dilemma.** What kind of problem is it? Is it truly an ethical dilemma, or is it a legal problem? In some cases, there may be more than one issue or concern.
2. **Identify the stakeholders.** Identify rights holders, affected people, interest groups, and others who might have a connection to the issue. ...Who are the people involved, and what is their stake in the predicament?

² <https://www.fbi.fh-koeln.de/efubip/efubip-ueber.htm>

³ IFLA Code of Ethics for Librarians and other Information Workers <http://www.ifla.org/news/ifla-code-of-ethics-for-librarians-and-other-information-workers-full-version>

⁴ <http://humanitieslab.stanford.edu/WACEthics/41>

⁵ Swazey, Judith P., and Stephanie J. Bird 1997 Teaching and Learning Research Ethics. In *Research Ethics: A Reader*, edited by Deni Elliott and Judy E. Stern, pp. 1-19. University Press of New England, Hanover

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3. **Identify the facts.** Identify all the known facts of the particular case and what is not known (but do not let them constrain how you imagine the possibilities).
4. **Generate possible solutions.** Be reasonable and consistent. Take other viewpoints into account; try to be impartial. Look for areas of moral agreement.
5. **Generate practical constraints.** What might constrict possible solutions? ...What resources (monetary or otherwise) are realistically available in the given situation? Think about the legal issues involved. What would be the consequences of the possible solutions?
6. **Generate alternative solutions.** Examine alternative possibilities, taking into account all of the above, as well different philosophical theories. Think about codes, principles, and guidelines that might already exist.
7. **Solve the dilemma.** What alternative solutions are possible? Arrive at a solution, or several possible solutions. ...
8. **Prepare for negotiation.** Consider how you will negotiate your solution with others who are connected to the issue.”

In the information ethics course which we have held over the last 10 years at different universities in Germany, Switzerland and Austria (**Berlin, Bern, Chur, Genf, Graz, Hildesheim, Konstanz, Potsdam, Zürich**) we use the following check list:

1. Who are the actors in the case?
2. What are the different actors' interests?
3. What are the conflicts in the case which may lead to a dilemma/polylemma?
4. Which ethically based theories can be applied to the case? (mainly: utilitarianism/consequentialism; moral duty,

deontology; Rawl's theory of justice; responsibility/sustainability ethics?)⁶

5. Are cultural differences involved in the case?
6. Can professional ethical codes be applied to the case?
7. Which legal constraints are involved in the case?
8. To which extent is the case determined by information and communication technologies?
9. Are there binding commercial contractual agreements/licenses relevant to the case?

In order to carry out these discourses we used the system K3 – an e-learning forum with elaborated discourse functions for collaborative knowledge management⁷. K3 applied the blended learning paradigm by using the following didactic mix:

1. Working in virtual (remotely organized) groups
2. Individual work
3. Classic lectures
4. Classroom discussion
5. Video conference presentations of the results of group work at the end of the course

⁶ Michael Gorman suggests the following guiding principles and values for a discourse analysis in librarianship: Stewardship; Service; Intellectual Freedom; Rationalism; Literacy & Learning; Equity of Access to Recorded Knowledge & Information; Privacy; Democracy; cf. Foster, Catherine; McMenemy, David: Do librarians have a shared set of values? A comparative study of 36 Codes of Ethics based on Gorman's Enduring Values. *Journal of Librarianship and Information Science*. 44 (4). 2012

⁷ K3 was developed in the information science department at the University of The software is no longer available for the public in a functional mode; c f. Kuhlen, Rainer; Griesbaum, Joachim; Jiang, Tao; König-Mistic, Jagoda; Lenich, Andreas; Schütz, Thomas; Semar, Wolfgang: *K3 – an e-Learning Forum with Elaborated Discourse Functions for Collaborative*

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The information ethics discourses aimed at the following main objectives:

1. encourage virtual groups (and in them, of course, individual learners) to produce their own content and acquire knowledge in the special course domain, not only but mainly information ethics courses
2. acquire information and communication competence in general
3. acquire information ethics discourse competence specifically

Fig. 7 and 8 give an impression how K3 works in information ethics discourses. Fig. 7 is a screen shot from the subtopic “privacy” as part of an information ethics course. The lecturer provides the group with some introductory information to the subtopic “What does information privacy or information autonomy mean” (to be seen on the bottom of the screen shot). A group of four students works collaborately on this topic. Each member of the group has to take one of four roles: moderator (stimulating and guiding the group), presenter (responsible for the presentation of the discourse results in the plenary at the end of the course), retrieval specialist (responsible for retrieving new topic-relevant literature, web links etc. – this will also be accessible for the whole course), summarizer (making summaries when parts of the discourse have come to an end). Each topic is divided into up into four work tasks (to be seen on the left side). The work behavior (quality of collaboration) and the final results are evaluated by the lecturer of the course.

Fig. 8 gives an impression of the depth of a K3 discourse - only the headers of the contributions is shown. The letter in the small square indicates the role of the contributor. Each contribution is typed (semantically specified), such as new topic (Neues Thema), supplement (Ergänzung), critical contribution (Kritik), organizational contribution by the moderator (Organisationelles).

3.4 Final Remarks

No one can reasonably expect information ethics discourses to solve information dilemmas/polylemmas directly or to resolve concrete conflicts bi-uniquely. Information ethics discourses cannot provide mandatory or prescriptive solutions. But they make a specific dilemma, a specific case, at least transparent, show different options for solving the problems or the dilemmas, and provide information about possible consequences of the decision made to the case.

Computer-aided discourses as a part of e-learning courses in information ethics are an extremely useful tool in particular for acquiring collaborative competence and are also useful when courses have a distributed organization (classes in different locations).

Final evaluations of the different courses, in particular of the information ethics courses, showed clearly that the students appreciated most those course phases where they were present and could communicate face-to-face. This is quite understandable for courses where the main goal is not primarily to acquire “objective” knowledge, facts, algorithms, or techniques but rather communicative discourse competence. Therefore the traditional classroom situation is not the only way but still a useful way of conducting information ethics courses.

