

Reply to Professor Hsieh’s Paper “An Ethical Compass for the Digital Age”
“Building a Culture that Can Sustain the Ethical Compass”
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Professor Hsieh has offered us a clearly articulated framework for re-thinking the “ethical compass” in our digital age. He provides us a useful starting point. In these brief remarks I take Professor Hsieh’s outline as a springboard for expressing concerns about the way business practices that are particularly evident in the digital sector may shape our culture at large in ways that will make the ethical task more challenging.

I. To set up my observations it is helpful to start with some reflections on human nature.

1. The two core principles suggested by Professor Hsieh: “Do no harm” and “respect human rights” are appeals to reason. They address the higher form of human reason urging actors to set aside their own narrow self-interests in those instances where pursuing those self-interests would harm others or interfere with the human rights of others.

2. There is a long-standing problem in moral philosophy about what whether reason is a sufficient motivator for human action. To see this, just notice that we don’t need any explanation for why a hungry person would eat a sandwich. It’s a universal of human behavior. Hungry people want to eat. It is harder to explain why a person would give up something they personally desire in the name of moral or ethical concerns. Some people clearly do. But many just as clearly do not. The problem dates back to Thrasymachus’ challenge to Socrates in Plato’s *Republic*, where Thrasymachus argues that there is no “justice” apart from whatever suits the interests of the powerful. Might makes right. Perhaps those who act out of moral or ethical concerns are brainwashed by the powerful; or perhaps (as Mandeville might suggest) they do so in an effort to gain social rewards (i.e. to gratify their pride).

3. A useful model for thinking through this problem is Aristotle’s account of the human soul. We have the higher form of reason that would allow us to see that it is desirable to act out of higher ethical concerns. But we also have a lower form of reason that is the servant of the passions. If we have not cultivated the virtues which subordinate the passions to reason, we can find ourselves being guided by our passions – instinctively seeking out pleasure and avoiding pain; and I might add, instinctively seeking out social approval. In many of us, both motivators operate. We see what would be the right thing to do. But sometimes we give into our lower desires and do unethical things in pursuit of our lower desires or maybe even just to go along with the crowd. The weaker the virtues are, the harder it is for us to attend to the discernments of higher reason.

II. In order for Professor Hsieh’s ethical compass to have any traction we need a culture that produces people who have sufficient virtue – sufficient ability to subordinate their passions to the dictates of the higher form of reason – that they will recognize the good of acting out of ethical concerns. We need a critical mass of people who can see that it is important to refrain

from pursuing their narrow self-interests when doing so would cause others harm or interfere with their human rights, and who have enough self-discipline to *act* on the basis for that ethical judgment. The reason that a critical mass is necessary is because in addition to pursuing our immediate pleasures and pains, we are wired to seek social approval. Even those who are not inclined to act out of the higher reason that dictates that we should be just are likely to act justly if they must in order to conform to social norms.

III. My worry about the digital age is that it seems to be accompanied by a rise in business practices that aim at encouraging people to act out of the lower form of reason that serves the passions. In other words, I think we live in a society that actively works *against* the project of developing the virtues that are necessary for people to be responsible ethical agents.

1. Long before the advent of the digital age, advertisers have bombarded consumers with messages aimed at getting them to pay most attention to their immediate desires and pains. We are supposed to obey our thirst (and buy Sprite). We are to treat our headaches as a five-alarm emergency (and buy Excedrin). When we go to Burger King we can expect to “have it our way” (and learn that satisfying each and every inclination is a highly important project). (Aside: this is, at least, how advertising in America works).

2. But recently the techniques for getting consumers to be slaves to their passions has been joined to behavioral science, and has become much more insidious. In her book, *Addiction by Design*, Natasha D. Schull describes the lengths the gambling machine industry will go to enslave its customers to their machines. Everything is studied: the optimal pay-out system; the optimal musical and visual rewards for “winning”; the design of gambling halls as mazes and without cues about time in order to keep gamblers stuck at the machine. All of this is tinkered to give susceptible people the exact right incentive structure to basically be “zeroed out” – i.e. drained of all financial resources. For a subset of their client base, the result is devastating.

While the gambling machines are particularly egregious, many business models in the digital sector rely on similar practices. “Likes” trigger neural pleasure, and so people get addicted to social media. The developers know this and prey on it to keep their customer base locked in. There’s a reason why twitter gives you that chirp (or whatever it is) when one of your tweets gets re-tweeted.

These techniques outstrip the old advertising appeals by going directly to the pleasure/pain centers of our brains. These practices view us as the laboratory rats who when wired to a “pleasure bar” (jolts to the pleasure spot in the brain) will literally starve themselves to death rather than stop hitting the pleasure bar.

3. The practice of using complicated algorithms to predict consumer wants is only slightly less insidious. It still means using data about patterns of behavior to make suggestions to customers that will trigger them to act, in a way that is meant to bypass more deliberate action.

IV. The problem with these practices is two-fold.

1. People bombarded by these sorts of attempts to manipulate their behavior are unlikely to develop the sort of moral character that is necessary for them to even hear, let alone act out of the sort of rational appeals made by Professor Hsieh.

Even for those who are not so enslaved, the fact that they find themselves in a culture where the critical mass of people just do think that it is most important to meet their own immediate desires for pleasure (and avoidance of pain) will have few if any social norms that help support them in their desire to do right.

2. The elites who run these industries are at risk of falling into a view of the masses that view them as lesser objects who are to be manipulated through these sophisticated techniques based on behavioral science. If the elite are critical for setting the norms, we have to be wary about the account of “justice” they are likely to produce, when they are in the habit of seeing the masses of people as essentially laboratory rats.

V. I have deliberately overstated my point because I want to sound the concern. The masses are not completely degraded by these business practices and still have a good deal of moral agency. The elite presumably have respect and concern for the dignity of all human persons. My concern is about the *tendency*. Humans are complicated, and our ability to act in a way that respects the dignity of all surely must be weakened if we engage in and even laud practices that tend to undermine the basis for that dignity.