THE ETHICS OF ONLINE COUNSELING
An Examination of a Specific Case
From a Christian Computer Ethics Perspective

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I. INTRODUCTION

As we begin the twenty-first century, the Internet stands as the foremost infrastructure for multimedia communications. The ethical issues that have been with us since the dawn of civilization have not dissipated with the advent of the electronic age. Our moral concerns have been magnified by the speed and number of individuals affected by the Web phenomenon. Many people in our modern culture view ethics as something that was necessary to guide humankind through past periods of ignorance. In a reverse relationship scenario, our prevailing worldviews place less and less emphasis on ethics as human knowledge increases. With new knowledge, the values that have sustained humankind for generations are seen as less significant. This paper will suggest that the new concerns that emerge from the complexity of the information age are actually the same moral issues that have been associated with humankind, but are now seen under the magnification of technological lenses. Under close examination, the concept of harm remains a constant in both traditional and online unethical actions. While the particulars of harm vary, the most common instances of harm revolve around the issue of not being truthful.

The utilitarian approach, with its focus on pleasure and the consequences of actions, provides a poor model for moral evaluations when the consequences of the behavior on the Internet are not clear. A moral foundation based on virtue ethics within a framework of Natural Law provides the solid normative foundation that is needed in contrast to the un-anchored utilitarian approach. There is something in the human spirit that allows humankind to "naturally know" right from wrong. This sense is part of our human nature and is governed by Natural Law. While this concept works well for individuals outside the Christian community, the essence of the Christian view of Natural Law is found in the writings of St. Thomas Aquinas.

One of the issues that stand out in Moral Philosophy relates to the concept of harm. While there are many opportunities for inflicting online harm, the area of Cyber Therapy or Web Counseling provides an example for our discussion. Qualified mental health professionals may be able to conduct online counseling effectively. The problematic areas arise when the client, who is in a very vulnerable position, is taken advantage of by unethical practices that are made easier by the nature of online human interaction. The nature of online counseling complicates both sides of the relationship. The therapist is harmed with the client provides false information because of the time spent by the mental health professional on the pretended health concern.

This paper will provide a description of a specific case of online counseling abuse. This case will be the focal point of the presentation. The paper will then address the problematic issues that arise from this specific case. These issues fall within the scope of Computer Ethics and should be addressed by Moral Philosophy, the mental health profession, and the Computer Science community. While these ethical particulars provide a reflection from a single cyber activity, they are representative of what occurs within the larger cyberspace context. The counseling applications of the Internet provide a specific focal point for the discussion of ethical issues that have much broader implications for Computer Ethics.

II. PHILOSOPHICAL FOUNDATIONS: VIRTUE ETHICS / UTILITARIANISM

In the Nicomachean Ethics, Aristotle provided a solid and timeless foundation for moral decision-making that formed a basis for the principles of virtue ethics. (Aristotle, trans. 1941) Aristotle described the moral virtues as the mean or midpoint between two vices. According to Aristotle, the practice of moderation was the key attribute in the pursuit of happiness. Aristotle mentioned that, "none of the moral virtues arises in us by nature; for nothing that exists by nature can form a habit contrary to its nature." (Aristotle, trans. 1941, 952) Aristotle believed that living a virtuous life required the establishment of habits. The great philosopher believed that the moral virtues along with the stronger intellectual virtues provided the means to happiness, the ultimate good. Such issues as temperance, being self-restrained, friendship, and controlling anger are still addressed by modern counseling psychologists.

The emergence of character-based ethics from a Christian viewpoint, as described by St. Thomas Aquinas, was heavily influenced by Aristotle's work. Aquinas maintained that human law, covering concrete situations, is derived from a set of self-evident truths that are known to all. (Aquinas, 1265-73/1998) Aquinas stressed that this Natural Law (moral law) is possible due to the rational participation in the eternal law of God and applies to human choices. This Christian notion of "Natural Law" uses concepts that are related to Aristotle's idea of virtues. The Ten Commandments and the teaching of Christ provide the necessary ingredients for a more complete understanding of our Natural Law. In the area of online counseling, the application of the *golden rule* provides a sound basis for making correct ethical decisions. Christian Natural Law forms a normative foundation for viewing the particulars of Computer Ethics in light of a character-based philosophy.

Natural Law allows humankind to formulate ideas associated with the concepts of order and purpose that in turn helps to provide a more effective foundation for Computer Ethics. The concept of Natural Law redefines the notion of moral virtues. With the consequentialist approach, order and

purpose are not assumed to exist. Therefore, the important prerequisites of human dignity may or may not be found in the process of scientific discovery. When order and purpose are inherent to human actions, human dignity is maintained because ethical decisions are resolved with certainty. There is a close connection between human dignity and a character-based philosophy of ethics. Human dignity resides within and provides the reasons for valuing one's self. While deep within an individual, human dignity extends outward and relates to human respect, peer relationships, and one's place in the world. Human dignity is the essence of character-based ethics. Natural Law, supported by Christian ideas, provides guidance concerning order and purpose and thereby facilitates the selection of correct actions regarding the ethical questions that reside in the online counseling community. With a Christian worldview, dignity is transformed into self-love, a high level of self-actualization.

The Natural Law approach assumes that humankind has a nature and we can investigate questions concerning, "What is natural for us?" With this solid framework supporting the morality of our actions (even online actions), Natural Law provides better results in the analysis of the how ethical online actions are. This universal foundation to Computer Ethics becomes even clearer when Natural Law is backed by a Christian worldview that preserves human dignity.

In contrast to character-based ethics, our modern society primarily operates within a utilitarian belief structure. In the tradition of Epicurus (c. 341-271 BC) and Jeremy Bentham (1748-1832), John Stuart Mill insisted that, "Actions are right in proportion as they tend to promote happiness; wrong as they tend to produce the reverse of happiness." (Mill, 1863/1993, p. 144) This is in contrast to the Christian Natural Law approach that maintains the dignity of the human spirit.

In addition to providing a very "fluid" standard of what is right and wrong, this approach depends on the evaluation of the consequences of actions. It may be difficult to determine the consequences of a particular action when the Internet is a factor. With the magnitude of online participation, speed of the Internet, and lack of control in stopping the spread of processes, instances of

harm can affect people at levels unimagined by the individuals who perpetrate unethical actions. A virus might do much more harm than was initially intended. Furthermore, it becomes difficult to stop the harmful behavior of a program once the process begins to spread in the technological web of the Internet. This lack of both knowledge and control concerning the consequences of online actions forms the primary obstacle in the utilitarian worldview.

The use of a character-based philosophy to support Computer Ethics makes sense from both the religious and practical standpoints. When a character-based philosophy is founded on Natural Law, the criteria for ethical decision-making rests upon a stable and universal platform. This stability allows individuals to let their natural inclinations, supported by Biblical revelation and Faith, to guide their actions instead of following the consensus of others. Human dignity strives in this sort of philosophical atmosphere.

III.   SPECIFIC CASE IN ONLINE COUNSELING

A. CASE DESCRIPTION

A WebMD posting of July 24, 2000 serves as the specific case in this paper. (Hordern, 2000) This particular incident serves as catalysis for ideas associated with the ethical landscape surrounding not only online counseling but the Web in general. The issues of privacy and honesty are found throughout the Web and contribute to various aspects of "harm" that represents the main concern in any ethical dilemma. The principle of telling the truth protects human dignity. We "naturally" know that harm results from untruthful actions. The case was introduced as follows: (Hordern, 2000)

A 31-year-old computer programming student, she was diagnosed with multiple personality disorder three years ago. "It scared the living life out of me," she says. Like many people with a new medical diagnosis, she turned to the Internet for information. What she found, she says, nearly drove her to suicide.

For most people, the process of turning to the Internet for information results in a positive experience. However, in some cases, the distance factor associated with the online community can

have negative consequences. The problematic areas of this case are primarily within the scope of

information verification. Within the online community, it is difficult to verify the credentials of

individuals who independently perform professional services. In this case, all aspects of the referral

were done online with the use of chat rooms.   It is important to identify what was wrong in this case

so a determination can be made concerning the right way to handle this type of situation. The primary

questions deal with the determination of if and how the client was harmed in this case. The following

provides a detailed description of the problematic areas of this case. (Hordern, 2000)

She first ran into problems when friends started telling her about a self-styled "psychoanalyst," who frequented chat rooms for abuse survivors and "multiples." Some women talked about going to his house for Froot Loops and ice cream.

When a friend said she was going to visit him, [the client] decided to check his credentials. "I knew that real therapists did not invite you to their homes," she says. "I talked to him on the phone and he told me he was a therapist, licensed in (two states). I called the licensing boards of those states and they had never heard of him."

Although [the client] knew he was not licensed, she says she was eager to listen to him because he told her that increasing her ability to function was more important than integrating her personalities -- something she wanted to hear. "He told me to give the various personalities time and let them do whatever they wanted. This was not good therapy. But he made it all sound so good."

Relying on the online "psychoanalyst," [the client] says she didn't get the professional help she really needed. Eventually, confused and depressed, she took an overdose of a tranquilizer. It wasn't enough to kill her, but the experience led her to check into a mental hospital where she finally began to get effective treatment.

When the client heard that a friend was going to visit the psychoanalyst, she decided to check

his credentials. She stated "I knew that real therapists did not invite you to their homes." At that point,

the therapist told the client that he was licensed in two states. The licensing boards of these states told

the client that they had never heard of him. The issues of not being truthful along with the difficulty of

verification on the part of the client due to the distance factor of the Internet lies at the root of the

problematic nature of this case.

It is fortunate that the client checked the credentials of the therapist. However, this occurred

only after the client heard some of the other women talk about being at the therapist's home. Even

though the client knew he was not licensed, she continued to listen to the therapist and did not get

professional help until it was almost too late. It is in our nature to believe what we want to believe.

The self-proclaimed "psychoanalyst" relocated to a different area of the country and continued to offer counseling on his own web site free of charge. What was the primary motivation for the therapist to practice counseling on the Web? He provided a list of references from people that he had "helped." He was either interested in helping people or planning some sort of harassment. While people need to be responsible for what they consume online, it is important to remember that when faced with difficult decisions, many people do not display their best judgment.

It is certain that for the most part, online counseling is very effective and the instances of abuse are rare. Online counseling is like a mental health "first aid" and most therapists know when to refer clients to other professionals when needed. To address the ethical dimension of this new Internet application, the American Psychological Association (APA) released the, "APA Statement on Services by Telephone, Teleconferencing, and Internet." (APA, 2003) Additionally, the Internet Healthcare Coalition published the, "eHealth Code of Ethics." (Internet Healthcare Coalition, 2003) These professional codes of ethics are important and are taken very seriously by the psychologists and counselors who practice online.

B. <u>PROBLEMATIC ISSUES</u>

1. The Central Issue of Harm

The central issue in this case revolves around the concept of harm. The harm that was inflicted on the client was a direct result of the unprofessional behavior of the therapist. This unprofessional behavior was facilitated by the online nature of the interaction. While humankind has had a history of inflicting harm on others, the concept of harm is one of those issues that reside within the scope of Natural Law. Therefore, all human beings, regardless of religious or cultural experiences, know deep down that harming someone is unethical and wrong. Human dignity is adversely affected when harm is inflicted. There is a reverse relationship between the trust and respect one has for another individual and harm.

Concerning the overriding issue of harm, the American Psychological Association's Ethics committee mentioned that, "to protect patients, clients, students, research participants, and others from harm." was an important aspect for the psychology profession. (APA, 2003, p.1) The eHealth Code of Ethics addressed the issue of harm with the following statement: "Respect fundamental ethical obligations to patients and clients." Within this code of ethics, the phrase "do no harm" was listed as a key aspect of being a professional in the online health care community. (Internet Healthcare Coalition, 2003, p.8) The client in this WebMD case was harmed when she did not get timely professional help due to the untruthful actions of the therapist involving his qualifications.

2. Licensure

The licensure aspects of this case relate to both honesty and professionalism. The therapist was not truthful with regard to having a license to practice in the mental health profession. The virtual experience of the cyber community contributes to this ethical concern and relates to the "invisibility factor." (Moor, 1985) The idea of an invisibility factor has to do with the inability of a computer user to have a clear understanding of the detail decision-making logic within a computer program. With the lack of awareness of the "intentions" that are built into the fabric of the code, the output of the program may be skewed to favor one party over another. With the "distance" of the online experience, it becomes more difficult to verify both the identity of the parties involved and any professional credentials.

The therapist focused on the consequences of his actions instead of the virtues that reside within the scope of human dignity. The therapist thought he could help the client and justified the untruthful behavior as a necessary means to the successful outcome of the therapy. If utilitarian ethics were utilized in this case, the outcomes illustrate the shortcomings of the utilitarian philosophy.

3. Privacy

In the area of protecting user privacy, the process of encrypting data and utilizing audit trails were mentioned in one code of ethics for the online health care community. (Internet Healthcare Coalition, 2003, p.7) The data derived from the online sessions should be kept confidential. When the data is used for other purposes, the data should be de-identified with all personal information removed. The clients should know if and how long their session data are to be preserved. People have the right to be informed if personal data is going to be collected and electronically shared in the online community. Concerning the initial discussions in this case, the use of chat rooms was not the best way to maintain client privacy. The entire group could easily read the issues that were being discussed in the chat rooms. She heard what she wanted to hear in the chat room environment and this give her false hope. This false hope affected her dignity as a human being.

The most important technical task involves preventing unauthorized access and insuring that the identity of both the professional and client are verified. The issue of identity is a bi-directional concern since the integrity of both client and mental health professional is important. The client in this case had no way of knowing who the individual was on the other side of the electronic therapeutic gateway.

4. Harassment

The "Froot loops and ice cream" invitations could have easily resulted in some form of harassment. While the intentions of the therapist are unclear in this case, we should not allow people who engage in the business of harassment to practice counseling on the Internet. The motivation for providing free online counseling remains an interesting question in this particular case. The charity of not charging for his services seems suspect. The therapist violated the principle of privacy that is inherent to Web counseling when he invited the clients into his home.

5. Honesty

The fundamental virtue of honesty was intertwined throughout the fabric of this case. The root of the problematic situation surrounding this case was the failure of the therapist to tell the truth about the licensure issue. The concept of honesty became apparent when the individual maintained that his license was valid in two states. The notion of honesty as being good is simply in our nature and known to all through our participation in the constant database of ethics known as Natural Law.

6. Quality of Service

One of the key aspects relating to the overall quality of service of online counseling involves the concept of responsible partnering. The online mental health community needs to ensure that referrals are made to qualified and trustworthy people. In this case, the therapist did not refer the client to qualified professionals. When the ethics of online counseling is based on the universal truths of right and wrong, the professional relationship between the therapist and client is strengthened and the dignity of the client is maintained. In this case, the relationship between the therapist and client deteriorated and the story became publicized under the heading, "When Cybertherapy Goes Bad." The dignity of the therapist was undermined by the action of not telling the truth and the client's dignity was undermined by not receiving the level of professional help that she needed.

IV.   CONCLUDING REMARKS

The emergence of the Internet has provided new opportunities to reach people in need. The area of online counseling has embraced this technology for the good of humankind. (Ingram, 1998) The ethical issues that emerged from this particular case are not unique to the mental health profession, but appear throughout the cyber landscape. The issues of harm, licensure, privacy, harassment, honesty, and quality of service appear throughout the information technology industry and represent

some of the major focal points in the interdisciplinary area of Computer Ethics. While they are not new ethical issues, the human impact and scope of the Internet has magnified their significance.

The prevailing foundation for judging right from wrong provides a poor normative framework for the evaluation of online actions. Within the utilitarian worldview, the criteria for judging right from wrong results in an ever-changing set of standards. A Christian Natural Law foundation provides the basis for a solid character-based normative ethical philosophy because the standard remains constant. With the Christian virtues as described in the ten commandments and the teaching of Christ, an individual can navigate the moral currents and make ethical decisions that are in accordance with God's will. With the universal principles of a Christian character-based perspective, the issues associated with harm dissolve and the Web becomes more attune to the needs of humanity.

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Appendix

WebMD
When Cybertherapy Goes Bad

July 24, 2000 -- "I don't recommend that anyone with a diagnosis like mine use the Internet," says Chris [the client]. But that's exactly what she did.

A 31-year-old computer programming student, she was diagnosed with multiple personality disorder three years ago. "It scared the living life out of me," she says. Like many people with a new medical diagnosis, she turned to the Internet for information. What she found, she says, nearly drove her to suicide.

As more and more people seek psychotherapy online, experts worry that charlatans may take advantage of them. "The Internet is beyond government control, so people have to take more responsibility for what they consume online," says Storm King, MS, past president of the International Society for Mental Health Online, an organization of patients and professionals concerned with the use of the Internet for mental health. "Unfortunately, people with mental illness may not have the best judgment."

So far, incidents of such abuse are fairly rare, according to those tracking the phenomenon. Martha Ainsworth, who checks the credentials of cybertherapists at her web site (http://www.metanoia.org/), says she knows of no lawsuits filed against online therapists. She has found only one in four years who claims to be credentialed but is not.

But [the client]'s case shows just how badly Internet therapy can turn out.

She first ran into problems when friends started telling her about a self-styled "psychoanalyst," who frequented chat rooms for abuse survivors and "multiples." Some women talked about going to his house for Froot Loops and ice cream.

When a friend said she was going to visit him, [the client] decided to check his credentials. "I knew that real therapists did not invite you to their homes," she says. "I talked to him on the phone and he told me he was a therapist, licensed in (two states). I called the licensing boards of those states and they had never heard of him."

The man, who spoke with WebMD on the condition that his name not be used, denies ever making these claims. But he admits he described himself, on one archived bulletin board, as a psychoanalyst with seven year's experience. "There are no laws against calling yourself a psychoanalyst," he says.

Although [the client] knew he was not licensed, she says she was eager to listen to him because he told her that increasing her ability to function was more important than integrating her personalities -- something she wanted to hear. "He told me to give the various personalities time and let them do whatever they wanted. This was not good therapy. But he made it all sound so good."

Relying on the online "psychoanalyst," [the client] says she didn't get the professional help she really needed. Eventually, confused and depressed, she took an overdose of a tranquilizer. It wasn't enough to kill her, but the experience led her to check into a mental hospital where she finally began to get effective treatment.

Local police began an investigation of the self-proclaimed "psychoanalyst," but he left that state before it was completed. The entire incident infuriated the online community of people with multiple personality disorder; one person posted a web page dedicated to exposing the unlicensed analyst.

In his discussion with WebMD, this man offered glowing references from other people he had helped. He pointed out that he doesn't charge for his therapy. And he has continued to offer counseling on his own web site.

Incidents like these show that chat rooms are clearly not the place to go for therapy, says Storm King of the International Society for Mental Health Online. Seriously depressed or ill people like [the client] need intensive therapy, face to face. "It's okay to try online therapy and see if it fits for you," says King. "But don't assume it's going to always work real well."

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