

# Good faith

**Good faith** (Latin: *bona fides*, sometimes spelled "bona fide"), in human interactions, is a sincere intention to be fair, open, and honest, regardless of the outcome of the interaction. While some Latin phrases have lost their literal meaning over centuries, this is not the case with *bona fides*; it is still widely used and interchangeable with its generally accepted modern-day English translation of *good faith*.<sup>[1]</sup> It is an important concept within law and business. The opposed concepts are bad faith, *mala fides* (duplicity) and perfidy (pretense). In contemporary English, the usage of *bona fides* is synonymous with credentials and identity. The phrase is sometimes used in job advertisements, and should not be confused with the *bona fide occupational qualifications* or the employer's good faith effort, as described below.

Contents
<i><b>Bona fides</b></i>
<u>Law</u>
<u>Employment efforts</u>
<u>In wikis</u>
<u>See also</u>
<u>References</u>
<u>External links</u>

## Bona fides

*Bona fides* is a Latin phrase meaning "good faith". Its ablative case is *bona fide*, meaning "in good faith", which is often used as an adjective to mean "genuine". While today *fides* is concomitant to faith, a more technical translation of the Latin concept would be something like "reliability", in the sense of a trust between two parties for the potentiality of a relationship. In ancient Rome *bona fides* was always assumed by both sides, and it had implied responsibilities and both legal and religious consequences if broken.<sup>[2]</sup> Fides was one of the original virtues to be considered a religious "divinity" in Roman paganism. Modern interpretation is that it is a return of favor for the completion of a favor.

## Law

In law, *bona fides* denotes the mental and moral states of honesty and conviction regarding either the truth or the falsity of a proposition, or of a body of opinion; likewise regarding either the rectitude or the depravity of a line of conduct. As a legal concept *bona fides* is especially important in matters of equity.<sup>[3]</sup><sup>[4]</sup> The concept of *bona fide* is also proclaimed by the original version of *Magna Carta*.<sup>[5]</sup> In contract law, the implied covenant of good faith is a general presumption that the parties to a contract will deal with each other honestly and fairly, so as not to destroy the right of the other party or parties to receive the benefits of the contract. In insurance law, the insurer's breach of the implied covenant may give rise to a legal liability known as insurance bad faith.

Most US jurisdictions view breaches of implied covenants of good faith and fair dealing solely as a variant of breach of contract. Linguistically, in the US, American English usage of *bona fides* applies it as synonymous with credentials, professional background, and documents attesting a person's identity, which is not synonymous with *bona fide occupational qualifications*. More recently, other common law countries have begun to adopt good faith as a general principle. In the UK, the High Court in *Yam Seng Pte Ltd v Int Trade Corp Ltd*<sup>[6]</sup> expressed this preference. In Canada, the Supreme Court declared in *Bhasin v. Hrynew* that good faith was a general organizing principle.<sup>[7]</sup>

## Employment efforts

*Bona fide occupational qualifications* (employer's good faith effort) are qualities or attributes that employers are allowed to consider when making decisions on the hiring and retaining of employees. An employer's good faith effort is used as an evaluation tool by the jurisdiction during the annual program review process to determine an employer's level of commitment to the reduction goals of the Washington State's Commute Trip Reduction (CTR) Law. United States federal and state governments are required by affirmative action (and other such laws) to look for disabled, minority, female, and veteran business enterprises when bidding public jobs. Good faith effort law varies from state to state and even within states depending on the awarding department of the government. Most good faith effort requires advertising in state certified publications, usually a trade and a focus publication. Other countries such as Canada have similar programs.

## In wikis

Public wikis depend on implicitly or explicitly assuming that its users are acting in good faith. Wikipedia's principle *Assume Good Faith* (often abbreviated AGF) has been a stated guideline since 2005.<sup>[8]</sup> It has been described as "the first principle in the Wikipedia etiquette".<sup>[9]</sup> According to one study of users' motives for contributing to Wikipedia, "while participants have both individualistic and collaborative motives, collaborative (altruistic) motives dominate."<sup>[10]</sup>

## See also

- Bad faith
- Convention Relating to the Status of Refugees
- Hanlon's razor
- Honour system
- Kindness
- List of Latin phrases
- Make one's bones
- Pacta sunt servanda*
- Uberrima fides* (utmost good faith)

## References

- Garger, John. "Translating Arguendo and Bona Fide from Latin to English." *Bright Hub Education*. Bright Hub Inc., 5 January 2012. Retrieved 6 February 2015.
- Adams, John P. (May 2009). "The Roman Concept of Fides" (<http://www.csun.edu/~hcfll004/fides.html>). *sun.edu*.
- "good faith" (<http://dictionary.law.com/default2.asp?selected=819&bold=>). Law.com. Retrieved 3 March 2008.
- Good Faith as an international principle of law [Trans-Lex.org](http://www.trans-lex.org/901000) (<http://www.trans-lex.org/901000>)
- Magna Carta* (1215), Clause I
- [2013] EWHC 111
- "SCC 71" (<https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/14438/index.do>). *scc-csc.lexum.com*. 2014.
- "Wikipedia:Assume good faith." Wikipedia, The Free Encyclopedia. 13 May 2005, 20:361 UTC. [Wikipedia:Assume good faith](https://en.wikipedia.org/w/index.php?title=Wikipedia:Assume_good_faith&oldid=14428829) ([https://en.wikipedia.org/w/index.php?title=Wikipedia:Assume\\_good\\_faith&oldid=14428829](https://en.wikipedia.org/w/index.php?title=Wikipedia:Assume_good_faith&oldid=14428829))
- Goldspink, Chris (2007), "Normative self-regulation in the emergence of global network institutions: The Case of Wikipedia ([https://www.researchgate.net/publication/30930355\\_The\\_role\\_of\\_Normative\\_Self\\_Regulation\\_of\\_Global\\_Network\\_Institutions\\_The\\_Case\\_of\\_Wikipedia](https://www.researchgate.net/publication/30930355_The_role_of_Normative_Self_Regulation_of_Global_Network_Institutions_The_Case_of_Wikipedia))", *Proceedings of the 13th ANZSYS Conference – Auckland, New Zealand, 2–5 December 2007*; Systemic Development: Local Solutions in a Global Environment
- Wagner, C., Prasarnphanich, P. (2007) "Innovating collaborative content creation: the role of altruism and wiki technology", *Proceedings of 40th Hawaii International Conference on System Sciences*, 3–6 January 2007, Hawaii

## External links

- "Good Faith Effort with California Department of Transportation" (<http://www.dot.ca.gov/hq/esc/oe/dbefgfe-help.pdf#xml=http://dap1.dot.ca.gov/cgi-bin/texis/webinator/search/pdfhi.txt?query=good+faith&db=db&pr=www&prox=page&rorder=500&rprox=500&rdfreq=500&rwfreq=500&rlead=500&sufs=0&order=r&cq=&id=462b20f77>)

Retrieved from "[https://en.wikipedia.org/w/index.php?title=Good\\_faith&oldid=1030540128](https://en.wikipedia.org/w/index.php?title=Good_faith&oldid=1030540128)"

This page was last edited on 26 June 2021, at 15:46 (UTC).

Text is available under the Creative Commons Attribution-ShareAlike License; additional terms may apply. By using this site, you agree to the Terms of Use and Privacy Policy. Wikipedia® is a registered trademark of the Wikimedia Foundation, Inc., a non-profit organization.