

Domains of Ethical Assessment (Continued)

①

③ Intention

E.g.
Some treatable disease in some poor country

- ↓
Deaths are
 - avoidable
 - suppose Person A collects medicine to distribute
 - But some small amount of medicine got contaminated
 - Consuming these medicine 100s of people died

(But he is not murderer)
Because intention was right

- According to these thinkers, doing right thing in itself is not enough
The right thing must also be done with right intention as well
- The theories based on act and intention are called Deontological theory
(Most Influential one is Kantianism by Immanuel Kant)

Act & Intention often go together
(Today's world is Kantian world in a way)

④ Character

According to these thinkers, the goal of ethics is not just to do the right thing but rather it is to develop the character of the Person.

↓
(It is a consistent pattern of thought and behaviour that we display across the situation)

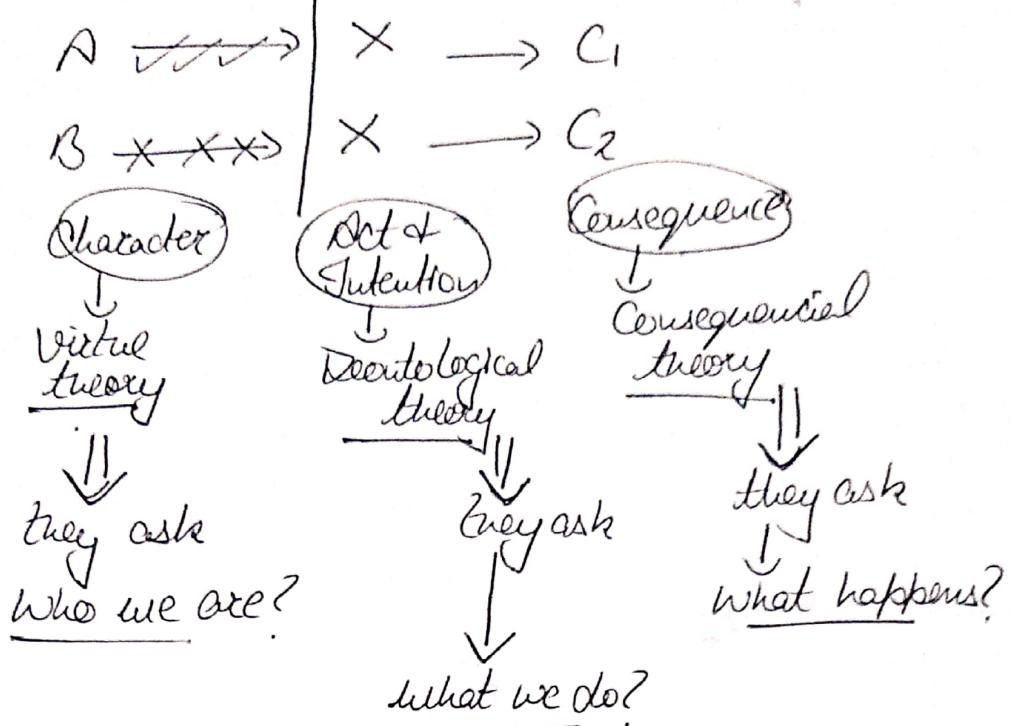
The theories based on character are called virtue theory
(Most Influential virtue thinker Aristotle)

↑
epitome of ancient Greek wisdom

E.g. Moral Person A
All the time taking illegal money
↓
But ultimately doesn't took
Person B Pathetic
↓
Never thought nor taken illegal money

Framework of Idea of Ethics

(2)



Ethics and other Normative Systems

- ↳ norms helps to decide → Right vs wrong
- ↳ how ethics is different from three other normative systems!

Ethics and Religion

has Prescriptions & Prohibitions

- ↳ Ethics is based on Reason while Religion is based on belief
- ↳ Ethics is enforced by our own Conscience while Religion is enforced by fear of Supernatural Retribution.

Cg

Reason changes with time

Therefore Ethics (Right/wrong) also changes

Religion

Right & wrong already decided.

⇒ In Religion, Reason is used to Justify Belief.

Conscience (Something in our mind, which performs important functions for us) (3)

- (1) what is right and what is wrong!
- (2) When we do something Right → Our Conscience Rewards us (Positive Emotions are generated)
- (3) When we do something wrong (gives us Punishment)
 - Guilt
 - Lack of Confidence
 - Nagging 2nd thoughts
 - Shame
 - 2nd thoughts nagging

↓
Drag our Performance

Chronologically,

- ↳ Religion came first & then ethics followed.
- ↳ As we grow as Individual/society, many religious principles replaced by ethics
- ↳ Ethical development of society leads to Reformation of Religion as well



② Ethics and law

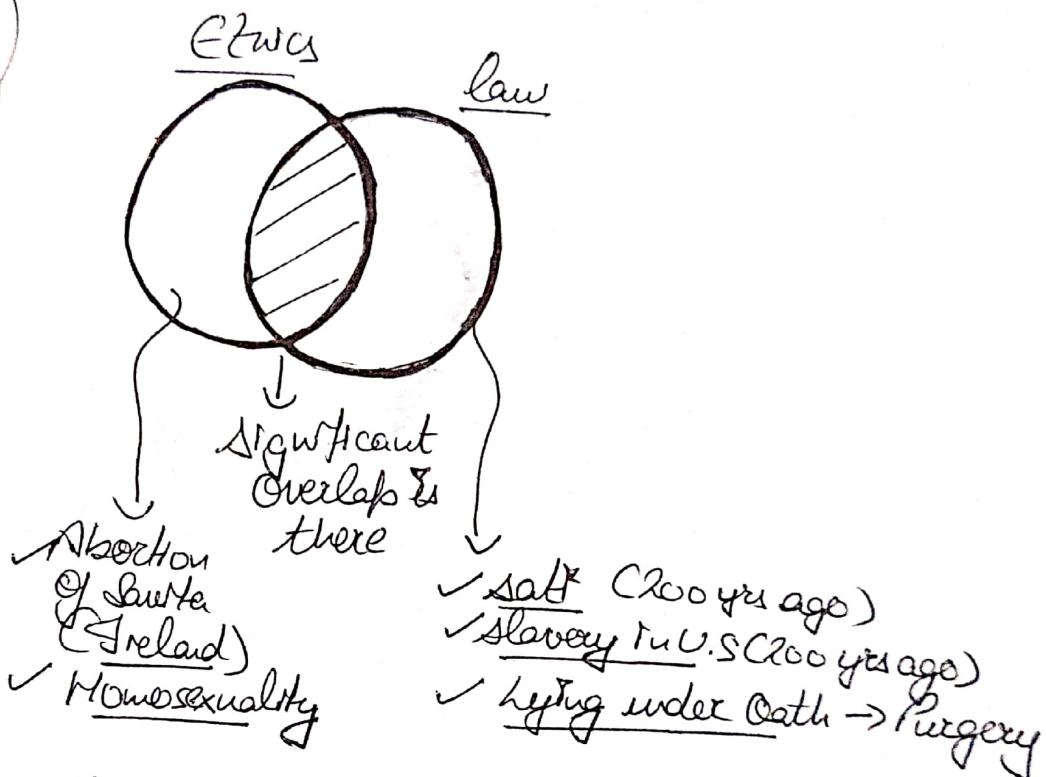
↳ Ethics is based on our Individual reasons while law is based on legislation

- * ↳ Ethics is subjective (based on Reason)
- ↳ law is Objective (It is applied on all objectively)

4

- * ↳ law follows formal process
- ↳ Ethics to great extent is non-formal
- * ↳ law is more specific/concrete → Behaviour
- ↳ Ethics is general & abstract
- * ↳ Ethics is enforced by our Conscience
- ↳ law is enforced by fear of state

Relationship b/w Ethics & law



- ⇒ If there is big Conflict in Ethics & law
- ↳ Ethics is more important (Must have supremacy over law)
- ↳ Ethics is basis on which laws are
 - Formed
 - Reformed or changed
 - Repealed / Annulled
 - Interpreted in new light

Q9
Art. 21
Legal Interpretation
on the basis of
Ethics

C.G
Liberty
Life of
dignity

C.G
If lying
is made
Crime
(Everyone'll
be in jail)

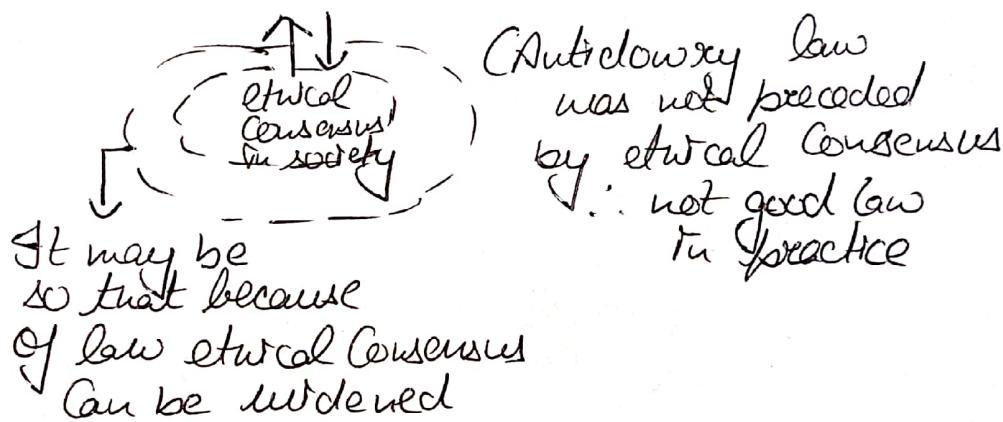
Therefore,
when big controversy

↓
Ethics must have supremacy

* Can we make Ethical Right → A legal right

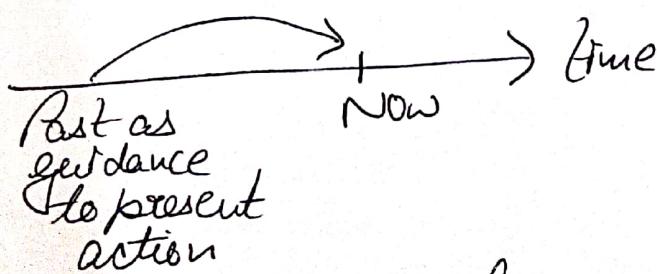
- NO; they must remain separate because
- There is a question of Objectivity
- Then, there is a problem of Objectivity and Subjectivity
- Problem of Interpretation
- Problem of Development (Noscere left)

Law is a crystallized form of Ethical
Consensus in a society (Ethics must be
open ended)



(3) Ethics and Convention/Custom/ Etiquette tradition

↳ Ethics is based on our Individual reason while Conventions are based on past practices



↳ Ethics is enforced by own Conscience and Conventions are enforced by external social sanctions

(6)

↳ Ethics talks about deeper aspect of our action and Convention talks about superficial/surface aspect of behaviour

Finally,

Ethics

Religion

Law

Convention
(Oldest)

legal sanction

supernatural
sanction

- Widest in range of behaviour
- Some convention are v. strong (Honour) killing

Practically

Ethics

Religion

Convention

law

Overlap/ing
Part of four
(Other where lies dilemma)

Social Contract Theory (Thomas Hobbes) Representative; (17)

Acc,

Hobbes in his theory tries to understand origin, function and basic motivation for morality.

According to Hobbes there are two facts about Human Nature (Assumption)

1) Self Interest

Man is always motivated by his self interest

2) Violence

In order to fulfil his/her self interest; Man does not hesitate from using violent means

↳ He also believed that
Every person has equally ability / opportunity to harm and even kill anyone else regardless of how strong or weak that person is.

↳ These two facts lead to a situation in which everyone is afraid of everyone else

↳ He called it State of Nature
(Nature controls Human behavior)

↳ This was state of Complete liberty
(Anyone can do whatever one wants)

↳ In this state of Nature, concepts of

right and wrong, Justice and Injustice don't arise, because there is no reliable expectation from anyones behaviour.

Eg

A (strong)

B (weak)

↓
Both can
harm each
other

Human life in this state of Nature was "solitary, poor, nasty, Brutish & short" (Energy and Resources consumed for Survival) and life expectancy was around 25 yrs

In order to avoid such a fate, Man who is selfish but still rational agreed to give up some of its liberty to do whatever he wants; so that he can more likely get what he desire and enter into a social contract.

This social Contract had two Component

- 1) A set of rules/laws which everyone is expected to follow
- 2) An Enforcing Agency like Monarch/State which can ensure that everyone follows the law

(Hobbes - gave non Religious account of Ethics & non religious account of Power of King)

It is only within this social Contract that the concepts of Right and Wrong, ethics and Morality or Justice and Injustice arise and have a meaning.

Right and wrong have meaning inside the Circle of social Contract
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⑨

Thus in order to keep the society moral
the state must be v. strong and powerful

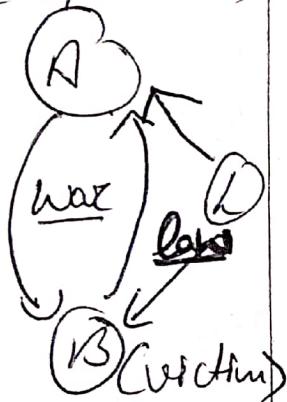
↳ It must arose enough fear in the
whole of people so that they follow
law.

According to him Strong state must have
three characteristic

- ① It must be Disinterested
(NO Self-Interest)
- ② State must be Neutral and represent
the will of people.
- ③ State must claim and exercise Complete
monopoly over the use of force
in a society.
(Individual should not be allowed
to use force)

Strong state $\propto \frac{1}{\text{Violence}}$

(Perpetrator)



② → third party
Bystander
(to reduce
collateral
damage)

- If third
party is
Leviathan/
state

↓
It is not
war but
law

