

Domains of Ethical Assessment (Continued)

(1)

(3) Intention

→ 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)

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

(e.g)

Moral

Person A (All the time thinking of taking illegal money)

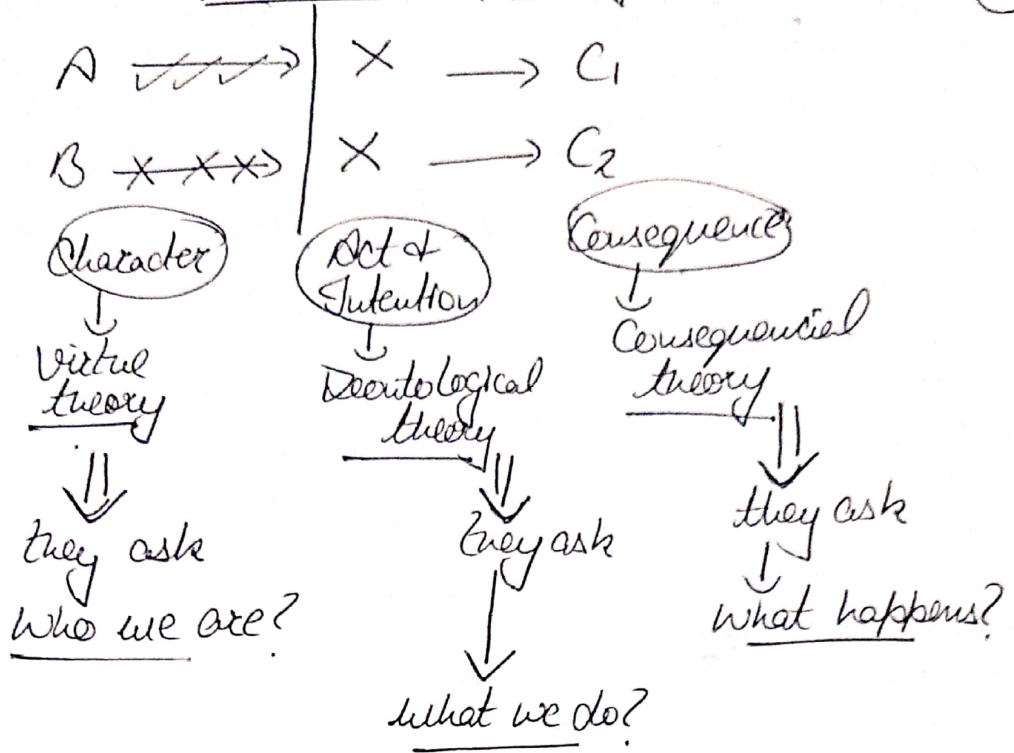
↓
But ultimately doesn't take

Person B (Pathological)

↓
Never thought nor taken illegal money

Framework of Idea of Ethics

(2)



Ethics and other Normative Systems

- ↳ Norms helps to decide → Right / 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.

C.g

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 3 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

→ Positive Energy
→ Optimism
→ Satisfaction
→ Pride, Confidence & Enthusiasm

⇓
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

Ethics → Religion
Religion → Ethics

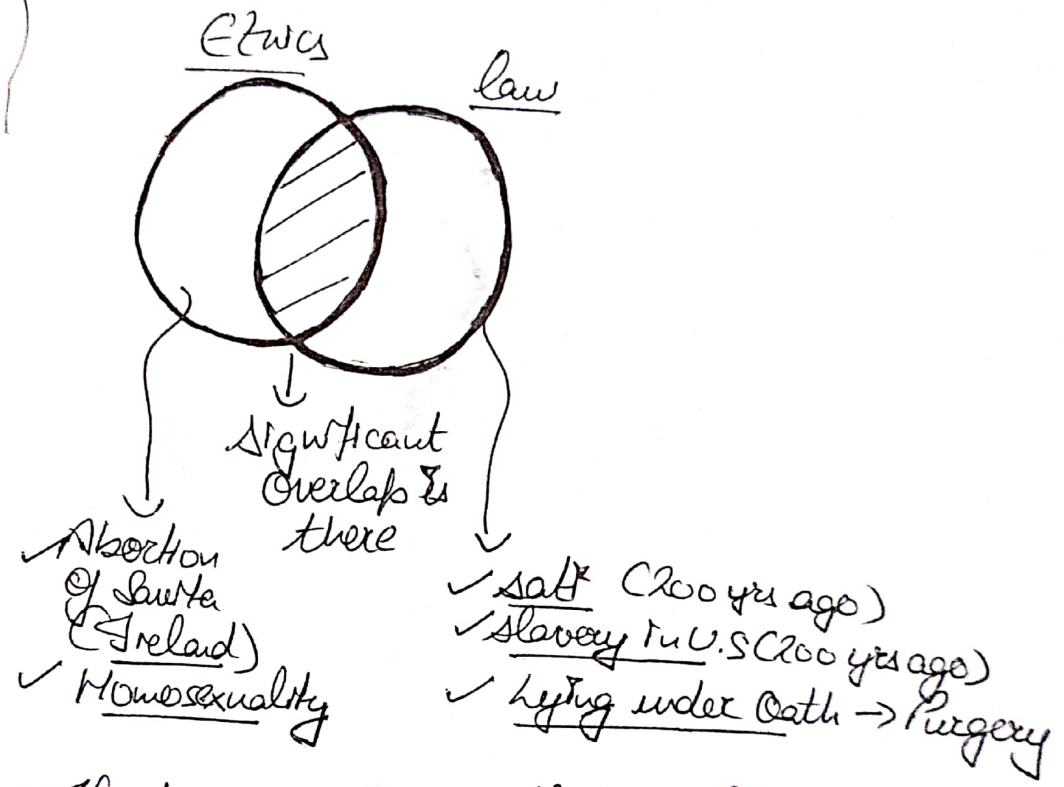
(2) Ethics and Law

↳ 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)

- * \hookrightarrow law follows formal process
- \hookrightarrow Ethics to great extent is non formal
- * \hookrightarrow law is more specific / Concrete \rightarrow Behaviour
- \hookrightarrow Ethics is general & abstract
- * \hookrightarrow Ethics is enforced by our Conscience
- \hookrightarrow law is enforced by fear of state

Relationship b/w Ethics & law



- \Rightarrow If there is big conflict in Ethics & Law
- \hookrightarrow Ethics is more important (Must have supremacy over law)
 - \hookrightarrow Ethics is basis on which laws are
 - \rightarrow Formed
 - \rightarrow Reformed or changed
 - \rightarrow Repealed / Annulled
 - \rightarrow Interpreted in new light

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Art. 21
Legal Interpretation
on the basis of
(Ethics)

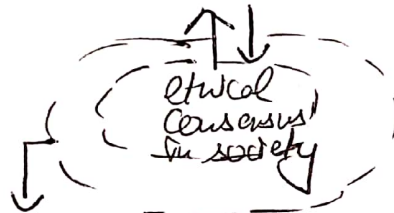
Therefore,
When big controversy

↓
Ethics must have supremacy

* Can we make Ethical Right → A Legal Right

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

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

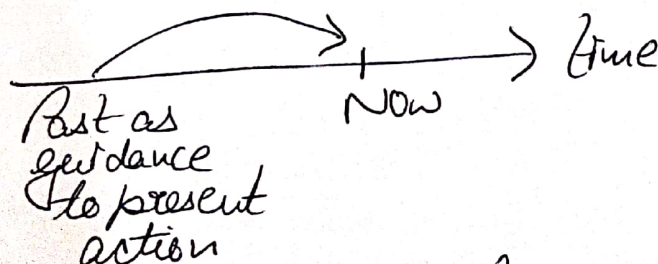


(Anti-slavery law was not preceded by ethical consensus
∴ not good law in practice)

It may be so that because of law ethical consensus can be widened

(3) Ethics and Convention/Custom/Etiquette tradition

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

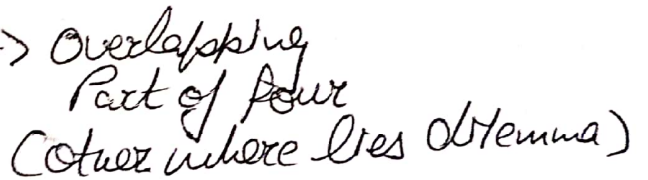
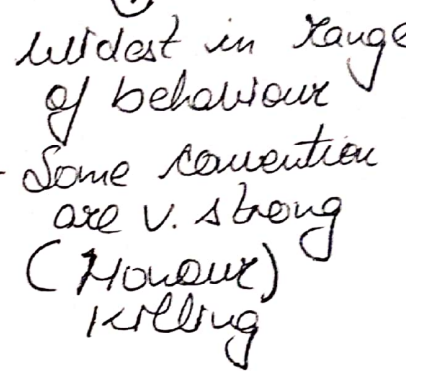


↳ Ethics is enforced by our conscience and Conventions are enforced by external social sanctions

e.g.
Liberty
Life of
dignity

e.g.
If lying
is made
a crime
(Everyone'll
be in jail)

⑥



Social Contract Theory (^{Representative;} Thomas Hobbes) (17)

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

E.g

A (strong)

B (weak)

↓
Both can
harm each
other

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 led to a situation in
which everyone is afraid of everyone else
He called it State of Nature
(Nature Control Human behaviour)

↳ 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
do not arise, because there is no reliable
expectation from anyones behaviour.

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 & wrong have meaning inside the Circle of social Contract

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

State is compared with
'Leviathan'
(Sea Creature
Huge)

↳ It must arouse enough fear in the
minds of people so that they follow
law.

According to him strong state must have
three characteristics

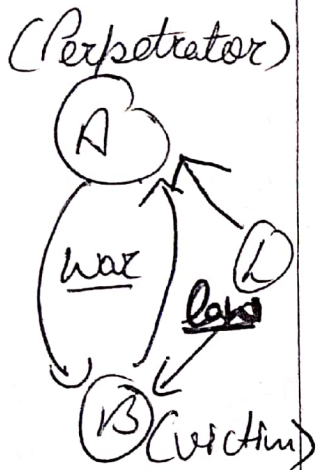
(1) It must be Disinterested
(NO Self-Interest)

(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)

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



(C) → third party
Bystander
(to reduce
collateral
damage)
- If third party is
Leviathan/
state
⇓
It is not
war but
law

E.g

- ① Blindfold
- ② Scale
- ③ Sword

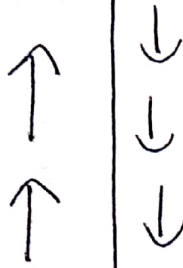
↓
Paraphernalia
of body
of Justice
in Greece

E.g

(Stephen Puker's Book)

(10)

↑ least violence today



5000 yrs
ago
(State - Sumerian) ↓ violence

Murder data (As per Stephen Puker's book)

↳ 1 person is killed / 1 lakh / yr. (Western Europe)

↳ 14 " " (U.S.A)

↳ 2.5 " " (tentatively in India)