

## Ethics Case Study Class 01

### A BRIEF DISCUSSION OF THE SUBJECT AND ISSUES ASSOCIATED WITH THE GS4 PAPER (5:05 PM)

- Time management while attempting the paper
- Prepare definitions of different values along with relevant examples which are short, crisp, and to the point
- Go through previous years' question papers of the past 5-10 years and identify ethical dilemmas and suggest ways to resolve such dilemmas
- Solutions provided should be such that it prioritizes public trust by striving for greater public good
- Provides options that are legally correct, if that is not available prioritize constitutional values, reasoned ethical framework (utilitarian, Kantian, some civil services values)
- **Structure of a Case Study Answer (5:47 PM)**
- 1. Identification of facts
- As far as possible objectively identify the key aspects of the situation, without any personal biases
- At best, recognize and use related news and laws/rules pertaining to the case
- 2. Identify the stakeholders and their interests
- Limit the stakeholders to only those that have a direct stake
- 3. Identify the restraining factors that a decision-maker faces i.e. the options available are such that neither is completely right or wrong
- The dilemma is to be preferably expressed as a conflict amongst different values that form the decision makers' possible actions
- From the dilemma, identify the possible courses of action, and analyze their merits and demerits
- Choose a course of action with the reasons behind the choice, identify the issues associated, and try to address them possibly in the medium to long term
- Closure: A two-line conclusion mentioning the values reflected in the chosen course of action such as leadership, courage, sympathy, objectivity, etc.
- General decision-making framework
- Most decisions must uphold public trust i.e. the legitimacy of the governance machinery to exercise its authority over people
- Specifically, the decision must comply with the following in the given order:
- 1. Specific laws duly framed
- This includes rules and regulations framed as a part of specific laws
- 2. Spirit of the law, if the law is silent
- This is determined through constitutional values, which inform every law
- 3. If the laws are silent and the constitutional values are unable to resolve the dilemma, then a decision has to be taken in a reasoned ethical framework such as Kantian, utilitarian, etc.
- It is necessary as the decision must be justifiable i.e. the civil servant can be held accountable

### CASE STUDY 1 (6:26 PM)

- A reputed food product company based in India developed a food product for the international market and started exporting the same getting the necessary approvals.
- The company announced this achievement and also indicated that soon the product will be made available for domestic consumers with almost the same quality and health benefits.
- Accordingly, the company got its product approved by the domestic competent authority and launched the product in the Indian market.
- The company could increase its market share over a period of time and earn substantial profit both domestically and internationally.
- However, the random sample test conducted by the team found the product being sold domestically at variance with the approval obtained from the competent authority.
- On further investigation, it was also discovered that the food company was not only selling products that were not meeting the health standard of the country but also selling the rejected export products in the domestic market.
- This episode adversely affected the reputation and profitability of the food company.
- **Questions**
- a) What action do you visualize should be taken by the competent authority against the food company for violating the laid down domestic food standard and selling rejected export products in the domestic market?
- b) What course of action is available with the food company to resolve the crisis and bring back its lost reputation?
- c) Examine the ethical dilemma involved in the case.

- **Approach**
- Introduction
- Mention some cases, current or of some recent past which reflect a similar situation e.g. cases of Maggie, Honey, or Volkswagen
- Mention stakeholders
- The state: The competent authority required to enforce the license standards
- The company: To ensure that it enjoys the trust of the people, and hence is able to sell products (increase market share) and make profits
- Consumers: Ensure safe products at an affordable cost
- Action to be taken by the competent authority
- Mention two relevant laws IPC (offenses by the company e.g. cheating, mislabeling, breach of trust, etc.) and FSSAI Act (due of FSSAI to ensure compliance with licensing norms by the company)
- In this regard, broadly three actions have to be taken:
  1. Re-evaluation of license including the possibility of cancellation
  2. Compensation to any person who has suffered harm
  3. Criminal and monetary liability for breach of trust
- Steps that can be taken by the company
- Owning up to the mistakes - a public apology
- Ensuring transparent compliance with norms in future
- Demonstrate a willingness to make up for any damages suffered by some person
- Ethical dilemma
- Write from the decision-makers perspective
- a) Company: Owning up to mistakes will compromise international credibility
- b) Competent authority: Strict action would lead to the loss of an Indian company's foreign market, and depriving the consumers of a required food product, vs lenient treatment may be seen as collusion with corporate interest

#### **CASE STUDY 2 (7:32 PM)**

- You are the Chairperson of the Staff Selection Commission of a state.
- Recently, an exam for recruitment to the position of sub-inspectors was conducted by the Commission.
- But a video of some students using hi-tech devices like spy mics, and placing "solvers" to cheat in the exam by hiding Bluetooth devices in wigs, has been surfacing on the internet.
- Also, this is not an isolated incident; many instances of organized cheating scandals have shocked the state in recent years.
- Students are agitating and demanding the cancellation of the exam and there is pressure on you to resign.
- However, your daughter also appeared in this exam and is confident of clearing it.
- There are many other students who had waited for this exam for a long time and are hopeful of clearing it with honest efforts.
- Whatever decision the Commission takes is bound to affect the career of a large number of candidates who appeared in the exam, including your own daughter.
- **Questions**
- a) Highlight the ethical issues concerned in the case.
- b) Why is cheating in examinations prevalent in many states across India?
- c) What measures would you take to make sure that a similar situation does not arise in the future?
- **Approach**
- Set up an inquiry and identify the candidates.
- Ethical issues: accountability vs credibility; standards and are they in sync with technology.
- Loopholes are evolving and the administration has to abreast for the same.
- Framework needs to be updated and adopted.
- Cheating creates an environment of public trust, etc.

**Topic for the next class: Continuation of case study**

#### **Ethics Case Study Class 02**

#### **INTRODUCTION (05:05 PM)**

- A Brief Review Of The Previous Class.

#### **CASE STUDIES 1 (05:10 PM)**

- **Question 1:** You are aspiring to become an IAS officer and you have cleared various stages and now you have been selected for the personal interview.

- On the day of the interview, on the way to the venue, you saw an accident where a mother and child who happen to be your relatives were badly injured.
- They needed immediate help.
- **What would you have done in such a situation? Justify your action.**
- **Approach:**
- In such a situation, I would prioritize providing immediate assistance to my injured relatives while also ensuring that I don't compromise my commitment to the IAS interview.
- **Here's how I would handle the scenario:**
- **Ensure Immediate Assistance:** The safety and well-being of my injured relatives would be my primary concern.
- I would call for emergency medical assistance and provide any first aid or support that I am capable of at that moment.
- **Notify Authorities:** Simultaneously, I would try to inform the authorities or medical professionals about the accident, requesting urgent medical attention for my relatives.
- **Contact the Interview Panel:** Once my relatives are attended to and medical professionals are on the scene, I would contact the interview panel or the relevant authorities to inform them about the situation and explain the delay in my arrival.
- **Seek Assistance from Family:** If possible, I would also contact a family member or friend to help manage the situation and ensure that my relatives are being properly taken care of.
- **Justification:**
- **Humanitarian Duty:** As a responsible and compassionate individual, my first instinct would be to ensure the safety and well-being of my injured relatives.
- It is a moral obligation to provide immediate assistance in such situations.
- **Criticality of the Situation:** In emergencies involving injuries, time is of the essence.
- Delaying assistance can have serious consequences on the health and recovery of the injured individuals. Prioritizing their well-being is ethically sound.
- **Balancing Priorities:** While the IAS interview is a significant milestone, human lives are irreplaceable. Handling the emergency doesn't mean I'm neglecting my commitment; rather, it shows my ability to handle challenging situations effectively.
- **Informing Authorities:** By promptly informing the interview panel about the situation, I would be demonstrating transparency, responsibility, and respect for the interview process.
- This helps maintain my integrity and professionalism.
- **Support Network:** Enlisting the help of family or friends can ensure that the situation is managed appropriately while I fulfil both my moral duty and commitment to the interview.
- **Adaptability and Resilience:** The ability to handle unexpected situations is an essential trait for an IAS officer.
- This incident would highlight my adaptability, crisis management skills, and quick decision-making abilities.
- In conclusion, while the IAS interview is a significant event, the immediate well-being of injured family members takes precedence.
- My action reflects my commitment to humanitarian values, responsible conduct, and the ability to balance priorities while exhibiting qualities desired in an aspiring IAS officer.

#### CASE STUDIES 2 (05:30 PM)

- **Question: You are an airworthiness officer.....to the safety and crew of passengers.**
- 1) Bring out the dilemmas you face, elaborating on the competing values in the given situation.
- **Approach:**
- **Introduction:** This is the case which concerns the importance of public safety guidelines.
- **Stakeholders:** State represented through DGCA acting via airworthiness officer.
- 2) Airlines company: Airlines to maintain public trust through public safety and maintain reputation and shareholder values.
- 3) People.
- **Ethical Dilemmas:**
- 1) Following Duty Vs Direction of superior.
- Values: Trust Vs commitment.
- Action: Flag out the issues.

#### CASE STUDIES 3 (06:25 PM)

- **Question: Dr. X is a leading medical practitioner in a city.. ... helpful to the tax collection process.**

- Further, in all probability, it will hamper the prospects of the hospital coming up. There are two options before you:
- 1. Taking a broader view, ensure substantial tax compliance and ignore defaults that are merely technical.
- 2. Pursue the matter strictly and proceed on all fronts, whether substantial or merely technical. As the head of the tax agency, which course of action will you opt for and why?
- **Approach:**
- **Introduction:**
- Mention exercise of discretionary power.
- Every law gives discretion to some extent. However, it must be exercised with accountability.
- The action must be such that it reflects civil service values like objectivity, compassion, national interest, leadership etc.
- Introduce mentioning the same.
- **Course Of action:**
- To see the extent of discretionary power available.
- Whether any violation can be treated with leniency such as nominal fines or warnings.
- If no such discretion is available, lenient treatment can not be given as it could compromise probity in governance.
- Hence any violation major or minor would have to be reported.
- Conclusion: As a tax officer my primary duty is to ensure full tax compliance.
- Tax evaders, ones caught generally willing to comply.
- Their willingness to comply, or what they would have done with the money should never be an issue in determining the manner of their treatment.
- Otherwise the law loses its purpose, and most violations including criminal start to get justified.
- By choosing the above course I have displayed awareness of my responsibilities and ability to perform them in a manner that upholds public trust- objectivity as a rule, and sympathetic discretion when available.
- **Stakeholders:**
- Dr. X
- Tax Investigation Agency
- Underserved Community
- Tax Collection and Government Revenue
- Medical Professionals and Staff
- Investors and Donors
- Other Taxpayers
- Public Interest
- Agency's Reputation
- Government's Image
- **Dilemmas:**
- Present the two options that the head of the tax agency must choose between:
- Prioritize substantial tax compliance and ignore minor technical defaults.
- Pursue the matter strictly, addressing all issues, both substantial and technical.
- **Ethical Considerations:**
- Discuss the ethical principles and considerations that are relevant to the case:
- **Justice and Fairness:** Consider the fairness of the tax investigation process and whether treating technical defaults as seriously as substantial ones aligns with the principle of fairness.
- **Beneficence:** Evaluate the positive impact of the proposed hospital on the underserved region and the potential harm caused by diverting the doctor's time and energy to resolve technical tax issues.
- **Public Interest:** Consider the greater good of the society by weighing the benefits of the hospital against the importance of tax compliance.
- Proportionality: Analyze whether the consequences of pursuing all fronts, including technical defaults, are proportional to the violations committed.
- **Options Analysis:**
- Discuss the pros and cons of each option:
- **Option 1:** Prioritize Substantial Compliance and Ignore Technical Defaults:
- Pros: Focuses on substantial tax collection, ensures that the hospital project proceeds unhindered, and saves time and resources.

- Cons: Might be seen as compromising on tax compliance, potentially undermining the credibility of the tax agency.
- **Option 2: Pursue Strictly on All Fronts:**
- Pros: Upholds the principle of equal treatment for all tax violations, maintains the agency's integrity, and ensures strict tax compliance.
- Cons: Diverts time and resources from the hospital project, potentially delaying its establishment and benefits.
- **Decision and Justification:**
- State your chosen course of action and provide a clear justification based on ethical considerations and the analysis of options.
- Your decision should reflect a balanced approach that considers both tax compliance and the greater societal benefit of the hospital.
- **Conclusion:**
- Summarize your decision and conclude by highlighting the complexity of ethical decision-making in situations where different principles come into conflict. Emphasize **the need to carefully consider the consequences of each option on both tax compliance and societal welfare.**

#### CASE STUDIES 4 (07:30 PM)

- **Question: You are a senior manager.....through a difficult financial period.**
- Is there any conflict of interest involved in the above situation that you can identify? Is it real or potential?
- Further evaluate the merits and demerits of each of the options given below.
- And finally suggest what course of action you would like to take, providing adequate reasons.
- 1) Do not accept the assignment as it would lead to a breach of confidentiality.
- 2) Do not lead the team but guide them from outside.
- 3) Accept to lead the team and use your expertise in bidding for the contract.
- 4) Resign from the job. suggest any other possible options(s).
- Evaluate all of them and suggest the best course of action, giving your reason for it.
- **Approach:**
- In the introduction, briefly explain the case study.
- In the body, bring out the key facts of the case and identify the ethical dilemma involved.
- **Evaluate the merits and demerits of the given options.**
- Suggest the best possible solution without compromising the ethical values.
- **Conclude with a fair and balanced approach.**

#### (TOPIC FOR THE NEXT CLASS: CONTINUATION OF CASE STUDIES)

#### Ethics Case Study Class 03

#### INTRODUCTION (05:09 PM)

- A Brief Review Of The Previous Class.

#### CASE STUDY 1 (05:16 PM)

- **Question:** You are posted as the Sub-Divisional Magistrate (SDM) in a district.
- As the SDM it is your responsibility to conduct interviews and select a candidate for the post of an ASHA worker in the district.
- On the day you are conducting the interviews, you are approached by the MLA of the local constituency who asks you to choose a particular lady for this position by overlooking the other candidates.
- On checking her documents you find that she is eligible in all respects.
- The MLA implores that she should be given the post on compassionate grounds as her husband was a soldier who was martyred in a war.
- Some of the options to handle the situation could be as follows:
- **(a) Ignore the MLA and proceed with the process of selection.**
- **(b) Speak to your superior and seek his guidance on the matter.**
- **(c) Appoint the lady to the post as it is a compassionate appointment.**
- **Also suggest other possible options.**
- **Evaluate each of these options and suggest the best course of action, giving reasons for it.**
- **Approach:**
- Evaluate the options suggested in the case study and also suggest other possible options.
- Suggest the best course of action that portrays 'compassion' as well as awareness of rules and respect for laws as well as procedures.

- This is a delicate situation where two important values – compassion and objectivity – required in civil services are coming into conflict with each other.
- While one would be tempted to help the family of a martyr, an officer cannot be unfair to other candidates in such a situation.
- **Stakeholders:**
- State represented by SDM.
- Local MLA
- The eligible candidate with a compassionate claim
- Other candidates who applied for the position
- The community relying on ASHA worker's services
- Superior authorities overseeing my decisions
- **Values Involved:**
- **Meritocracy:** Ensuring fair selection based on qualifications.
- **Compassion:** Acknowledging sacrifices and demonstrating empathy.
- **Transparency:** Maintaining open and transparent decision-making.
- **Equality:** Ensuring equal opportunities for all candidates.
- **Accountability:** Being accountable to the community, superiors, and personal ethical principles.
- Options and Evaluation:
- a) Ignore the MLA and Proceed with Selection:
- Advantages: Upholds merit-based selection, ensuring fairness and transparency.
- Disadvantages: The compassionate aspect might be overlooked, potentially leading to dissatisfaction and community concerns.
- b) Seek Guidance from Superior:
- Advantages: Demonstrates accountability, and ensures alignment with organizational principles.
- Disadvantages: Might delay the decision-making process, creating uncertainty among stakeholders.
- c) Appoint the Lady on Compassionate Grounds:
- Advantages: Honors the sacrifice made by the candidate's family and demonstrates empathy.
- Disadvantages: Merit-based principles could be compromised, leading to potential criticism of favouritism.
- d1) Evaluate All-Compassionate Claims:
- Advantages: Upholds equality by considering all compassionate claims individually.
- Disadvantages: Might introduce complexities if multiple candidates have valid claims, potentially delaying the decision.
- d2) Transparent Decision with Compensation:
- Advantages: Balances compassion and transparency by addressing the compassionate claim while ensuring fairness.
- Disadvantages: Determining appropriate compensation could pose practical challenges.
- **Best Course of Action:**
- Whether the position in question is reserved for compassionate appointment or not I would advise the MLA to make the lady apply as a candidate for the post.
- I would carry out the prescribed procedure to select the ideal candidate. In case she is unable to qualify as the most suitable candidate in the process, I would try and find other vacancies for her in the government (especially positions reserved for compassionate appointment of spouses of martyrs).
- I would extend all my support to the lady to ensure that she gets a job at the earliest, by following the rules.
- It is to be noted that creating an exception in appointments will pave the way for future distortions in the selection procedure of ASHA appointments.
- I would also like to enquire if the lady has any special needs (sickness of any family member, marriage of children etc....)
- In such a case I would help her out with appropriate provisions under the existing government schemes
- This approach ensures transparency, respects merit, and acknowledges compassionate grounds.
- It demonstrates accountability to both organizational principles and the community's welfare.

#### **CASE STUDY 2 (06:05 PM)**

- **Questions:** You are posted as a District Collector in one of the districts in India.
- It has been brought to your notice that a structure has been built by a few members of a religious community on public land without getting due permission.
- In keeping with the guidelines of the Supreme Court of India, disallowing the construction of any permanent religious structures on public land, you are contemplating its removal.

- However, the leaders of the community in question have requested you to permit the structure saying that it is for a month-long religious festival only.
- Moreover they say that there is no other religious place nearby where community members can celebrate their festival.
- Your seniors and the political leader of the area also support their views.
- However you are sceptical that after the festival is over, it may not be easy to remove the religious structure from the public land due to the involvement of community members at large.
- **(1) Perform an objective and subjective analysis of the case.**
- **(2) What will you do in such a situation?**
- **Approach:**
- 1) Objective and Subjective Analysis:
- **Objective Analysis:**
- **This is the case of illegal land Grab.**
- **Need to demolish structures and take back the possessions immediately before it becomes difficult for the state to act.**
- **Hence the SC guideline.**
- **In many cases it is done in garb of religious activity.**
- **2) Course of Action:**
- **Strict compliance with SC guidelines.**
- **Manner of execution.**
- **Should demonstrate authority and command over the situation as well as sensitivity to public sentiments.**
- **Give a time-bound notice to the community to demolish the structure.**
- **Ask them to identify alternate sites and comply with guidelines regarding religious celebrations in public places.**
- **These include compliance with disaster management guidelines traffic movements, and law and order guidelines.**
- **Fair use of public resources etc.**
- **Demonstrate a commitment to facilitate religious celebrations.**
- **Stakeholders:**
- **Religious community members and leaders**
- **residents and other citizens using public land**
- **Political leaders**
- **Superior authorities**
- **Legal experts**
- **Communal harmony and social cohesion**
- **Values Involved:**
- **Rule of Law: Upholding the directives of the Supreme Court and adhering to legal principles.**
- **Justice: Ensuring fairness and equity in decision-making, considering the interests of all stakeholders.**
- **Religious Freedom: Respecting the rights of the religious community to practice their beliefs.**
- **Transparency: Communicating openly with stakeholders about the situation and decision-making process.**
- **Community Welfare: Considering the long-term well-being of the community, which includes legal compliance and harmonious coexistence.**

### **CASE STUDY 3 (07:02 PM)**

- **Question:** You have been recently posted as Superintendent of Police of a district which has a famous temple.
- Shortly thereafter you found that there is considerable tension in your district on the issue of allowing entry of women in the temple.
- The women were trying to break the allegedly 400-year-old tradition of the temple, which banned women from entering its inner sanctum.
- Recently a 350-strong group of women was stopped by the temple administration from entering the temple.
- This led to a scuffle wherein a few women participating in the protest were manhandled.
- There is pressure on you from local politicians who want you to prevent any such forced entry as elections are approaching.
- **(a) Do you think there is a dichotomy between progressive values guaranteed to women by the Constitution and regressive traditions that continue in the garb of religion? How can this dichotomy be resolved?**

- **(b) How would you manage the law and order situation created by the forced entry?**
- **(c) How would you manage and mould the patriarchal attitude of the temple administrators and male elders to ensure harmony?**
- **Approach:**
- It is my duty as an officer to protect all the laws.
- It includes customary laws too.
- People should be able to exercise their right to protest peacefully.
- There should not be any violence.
- Religious values also preach the same values as Constitutional values.
- eg. Equality
- But sometimes there is a dogmatic belief that conflicts between the values of different religions.
- The only difference between these values is that religious values are slow to reform while in comparison constitutional values evolve faster.

#### **CASE STUDIES 4 (07:35 PM)**

- **Question:** There is a disaster-prone state having frequent landslides, forest fires, cloudbursts, flash floods earthquakes, etc.
- Some of these are seasonal and often unpredictable. The magnitude of the disaster is always unanticipated.
- During one of the seasons a cloudburst caused devastating floods and landslides leading to high casualties.
- There was major damage to infrastructure like roads, bridges and power-generating units.
- This led to more than a lakh pilgrims, tourists and other locals trapped across different routes and locations.
- The people trapped in your area of responsibility include senior citizens, patients in hospitals, women and children, hikers, tourists, the ruling party's regional president along with his family, an additional chief secretary of the neighbouring state and prisoners in jail.
- **1) As a civil services officer of the state, what would be the order in which you would rescue these people and why? Give justifications.**
- **Approach:**
- Rescue who needs help.
- Due to limited resources, we have to prioritize the people.
- The order is based on the following principles:
- 1. Vulnerability
- 2. Resources required to rescue, and
- 3. Capacity to withstand
- In this regard, I would firstly evacuate: (Give your reasons for your actions)
- 1. Senior citizens, Women and Children
- 2. Tourists
- 3. Who is expected to be safe place: Ministers and additional chief secretaries: would be evacuated based on the category they come into.
- Hikers, Patients if at a vulnerable place, and Prisoners as they are completely dependent on the state.
- If they belong to vulnerable sections, they will be evacuated early else the same procedure will be followed.

#### **(TOPIC FOR THE NEXT CLASS: CONTINUATION OF CASE STUDIES)**

#### **Ethics Case Study Class 04**

#### **INTRODUCTION (01:10 PM)**

- A Brief Review Of The Previous Class.

#### **CASE STUDY 1 (01:15 PM)**

- **Question:** A deadly epidemic has broken out in West Africa killing thousands of people.....efficacy of the drug and have even warned against its use as it may result in some deadly side-effects.
- **1) Bring out and discuss ethical issues involved in the above case.**
- **2) What would you do in the above situation? Give reasons.**
- **Approach:**
- The core issue is leadership where accountability is difficult.
- This is because the objective facts necessary to support a decision are not available, nonetheless the decision has to be urgently taken.



- This requires courage and mechanism to ensure that if a decision taken in times of high uncertainty goes wrong, there should be ways to contain its negative effects as quickly as possible.
- **Stakeholders:**
  - Patients and Families
  - Healthcare Professionals
  - Government and Health Authorities
  - Pharmaceutical Companies
  - Global Health Organizations
  - Local Communities
- **Ethical Issues involved:**
  - Leadership and courage.
  - Urgency/prioritising decision making.
  - Calmness
  - Balancing potential benefits with risks.
  - Ensuring informed consent.
  - Fair distribution of treatment.
  - Transparency and accountability.
  - Global collaboration and communication.
  - Unforeseen long-term consequences.
- **Short-term:**
  - Allow the limited use of the experimental drug under strict regulations and conditions.
  - Ensure production exclusively in registered government facilities to maintain quality control and oversight.
  - Implement comprehensive monitoring of patients receiving the drug to assess its effectiveness and any potential side effects.
- **Long-term:**
  - Conduct thorough and rigorous research on the experimental drug's safety and efficacy.
  - Collaborate with global health organizations and experts to gather and share data for informed decision-making.
  - Initiate studies to determine the drug's impact on patients' health over an extended period.
  - Prioritize transparent communication with the public about the ongoing research and outcome.
- **Conclusion:**
- **By adopting this course of action, I would not only address the immediate crisis but also demonstrate my leadership skills in making informed decisions during unprecedented challenges.**
- **Balancing the urgent need for a solution with the importance of ensuring safety and effectiveness, I would exhibit a commitment to the well-being of the population.**
- This approach reflects the ethical responsibility of a health department head and underscores the significance of thoughtful and responsible decision-making in times of crisis.

#### CASE STUDY 2 (01:48)

- **Question:** You are an undergraduate student in a leading Law University.
- You go with your college friend Surrender to his village to attend his sister's marriage.
- Parents are farmers and are financially very poor. They have somehow managed to send him to the university by selling their land.
- After interaction with the family relatives attending the marriage, you find out that the bride is not of marriageable age, which makes it a case of child marriage.
- The family wants an early marriage of the daughter to avoid huge demands of dowry in the future. You are well aware that child marriage is illegal in India.
- So, you discuss the issue with your friend who says that he is helpless and can't do anything.
- Your friend feels that his family is already doing too much for him and he cannot argue and change his parents' decision.
- **In this situation, what are the possible actions you can take? Evaluate the merits and demerits of each of them.**
- **Approach:**
  - Introduce the situation briefly.
  - Suggest possible actions and evaluate them.
  - Take your final stand in the conclusion.
- **Answer:**

- **The case is more important about the difficulty of acting despite recognition of the immoral and illegal act that takes place before one's eyes.**
- **A Person may not act because of the pre-assessed very small probability of success because of inhibition to act amongst unknown people or because of some self-harm that may come because of action.**
- **Whatever the reason of inaction, as a concerned law-abiding citizen I must act courageously in such situations.**
- **The courage to act comes with planning - if I have a structured course of action, then I will be willing to act despite recognising a low probability of success.**
- **The least I can do is persuasion.**
- **I will proceed in the following manner:**
- **First talk to my friend and persuade him.**
- 1. Persuade the family with the help of Surrender
- Firstly, the dilemma of Surrender needs to be cleared. He must be told that it is his responsibility to tell parents about the implications of child marriage.
- Further, his hard-earned education will be of no use if he cannot save his little sister from orthodox, outdated social traditions – dowry and child marriage.  
Once Surrender is convinced, we can both persuade the parents through the following arguments:
- Making them aware that child marriage is illegal and that it is similar to destroying their beloved daughter's whole life
- Removing their primary apprehension of dowry demands by telling them that is an illegal practice.
- Encouraging them to make their daughter educated and skilled. It will make her independent and then she would be able to choose her best partner herself.
- Citing some successful women will be useful
- The sister's education expenditure can be met by Suren Dar's earnings from a job shortly
- If this persuasion is successful in stopping the marriage from happening then there is no demerit in this action.
- Bringing the matter to the notice of local panchayat
- However, if the parents are not convinced and still hold the event, then the local leaders from the panchayat can be informed.
- **Merits:**
- The panchayat can create social pressure on the family to stop the marriage
- It will serve as an important example to bring social change in the community
- **Demerits:**
- The family may not abide by the panchayat's persuasion and will also bring personal matters into society
- The parents and friends may get angered with me and may also threaten me
- However if still they decide to hold the marriage, the FIR should be registered with the police station.
- 3. Registering the complaint with the police
- **Merit:**
- The most important objective was to stop child marriage from happening will be achieved
- The case will act as a deterrence against future practices of child marriage in the local area
- **Demerits:**
- It will bring the whole family into the criminal proceeding which will hamper the education of both the children.
- This could further push the family into deep poverty which was the primary reason for child marriage. So, instead of removing the root cause, this solution will be superficial.
- On evaluating all the above scenarios, I must persuade the family by all means to stop the child marriage from happening.
- In this process, we can involve all educated and reform-oriented relatives and local people.
- The registering of police complaints should be avoided till all options are exhausted because it has huge repercussions on the family and lives of brothers and sisters.

### **CASE STUDY 3 (02:56 PM)**

- **Question:** You are the manager of a spare parts company A and you have to negotiate a deal with the manager of a large manufacturing company B. The deal is highly competitive and sealing the deal is critical for your company. ....manager and as a consequence the deal is likely to be jeopardized, which is of immense importance to your company.
- **1) What are the dilemmas you face? What will be your response to the situation?**

- **Dilemmas:**
- Ethical Dilemma: Balancing the duty to report an accurate account of the incident with the potential negative impact on the critical business deal for my company.
- Moral Dilemma: Weighing the moral responsibility to uphold the law and ensure justice against the possible consequences of jeopardizing the business deal and the livelihoods of my colleagues.
- **Response:**
- Given the situation, I would approach it as follows:
- Immediate Assistance: Firstly, I would ensure that the injured motorcyclist receives immediate medical attention.
- Their well-being takes precedence.
- Collect Information: I would gather all necessary information about the accident, such as the manager's speed, road conditions, weather, and any potential witnesses. This will ensure that I have accurate and complete information to present if needed.
- Consult Company Ethics: I would refer to my company's code of ethics or guidelines to understand its stance on such situations.
- It's important to know whether the company values ethical conduct over business deals.
- Seek Legal Advice: I would consult a legal expert to understand the legal implications of my actions.
- This would help me understand the potential consequences of not reporting the incident accurately.
- Ethical Decision Making: After weighing the ethical and moral dilemmas, I would prioritize reporting an accurate account of the incident.
- Upholding the law and ensuring justice is crucial, even if it means risking the business deal.
- Transparent Communication: I would communicate the incident honestly to my superiors in the company.
- Transparency in my actions would show that I value ethical conduct and the company's reputation.
- Mitigate Business Impact: While the deal may be jeopardized due to the situation, I would actively work to find alternative solutions to salvage the business relationship.
- This could involve seeking extensions or renegotiating terms.
- **In conclusion**, my response would be to prioritize ethical conduct and uphold the law, even in challenging circumstances.

#### CASE STUDY 4 (03:46 PM)

- **Question:** A convicted mobster decides to make a charitable contribution. He offers more than \$1 million to a hospital to build a children's wing.
- He will contribute if the new pavilion is named after him. The hospital board accepts the gift, with that stipulation.
- Do you think the hospital was right in accepting the gift?
- **Approach:**
- Adhering to ethical standards in fundraising is especially important because the success of an organization's mission rests on trust: the trust of clients, volunteers, donors, and the community served.
- The Problem: Doing Good With Something Obtained Immorally The conflict in this story stems from the strain between the hospital's need for money and the money's being tainted and coming with a controversial string attached.
- **Some questions to ask yourself Student Notes:**
- How large was the majority in favour of this decision?
- Were other potential benefactors approached and what were their responses?
- Was the decision forced because without this money there would be no new wing?
- Was the board approached or did it solicit this donation?
- How do you respond to the criticism that the money is "ill-gotten" gains?
- Do you think the public will react?
- Apart from this the facts also need to be filtered through some general principles regarding the uses and abuses of money, and the relationship between means and ends. It also presents a problem of proportionality. What I mean is how much bad is done in the cause of doing how much good.
- Making the Best of a Bad Situation
- Regarding the case presented here, there is no question about the origins of the money.
- The donor is a convicted mobster and the money is tainted. Now he wants to take his money and wash it by putting it to a socially acceptable purpose.
- The temptation to take it is great.
- **One approach could be:**
- If this mobster wants to put his money into helping children, then let him.

- Take money, put his name on the hospital and use the money to treat sick children, even save their lives in many instances.
- But you need to consider the effect of such action that is, will using something bad encourage others to do bad things?
- **Short-term Consequences:**
- Accepting the money may benefit sick children by providing better healthcare facilities.
- However, it also endorses and honours criminal behaviour, sending the wrong message to society.
- The hospital's reputation and values could be compromised by associating with the mobster's name.
- **Long-term Harm:**
- Accepting the gift could condone criminal activity and encourage others to seek respectability through similar means.
- The mobster's motivation might be driven by publicity rather than genuine charity, as indicated by his insistence on having his name displayed.
- The money obtained through criminal activities may not rightfully belong to the mobster, raising questions about the legitimacy of his donation.
- **Conclusion:**
- **Considering the ethical dilemmas, the hospital should not accept the money from the convicted mobster.**
- While the money could provide short-term benefits, the long-term harm to ethics, values, and societal norms outweighs the potential gains.
- **The hospital should uphold its integrity and seek alternative sources of funding that align with its ethical standards.**

#### **UTILITARIAN AND DEONTOLOGICAL APPROACH (04:05 PM)**

- The utilitarian approach and the deontological approach are two contrasting ethical theories that provide different perspectives on how to determine what is morally right.
- **Utilitarianism:**
- Utilitarianism focuses on the consequences of actions.
- It suggests that the morally right action is the one that maximizes overall happiness or utility and minimizes suffering.
- In other words, an action is considered ethically correct if it brings about the greatest amount of net benefit or good for the greatest number of people.
- Utilitarianism is often associated with the idea of the "greatest good for the greatest number."
- **Deontological Ethics: (By Kant)**
- Deontological ethics, on the other hand, emphasizes the inherent nature of actions themselves rather than their outcomes.
- This approach suggests that certain actions are intrinsically right or wrong, regardless of the consequences they bring.
- The act must be universalisable after removing context.
- Humanity should be the end in itself not the means.
- Moral duties, principles, and rules guide ethical decision-making.
- An action is considered morally right if it aligns with these duties and principles, even if it leads to unfavourable outcomes.
- In summary, utilitarianism evaluates actions based on their outcomes and aims to maximize overall happiness,
- While deontological ethics focuses on the inherent rightness or wrongness of actions based on principles and duties, irrespective of their outcomes.

#### **(TOPIC FOR THE NEXT CLASS: CONTINUATION OF CASE STUDIES)**

#### **Ethics Case Study Class 05**

#### **CASE STUDY- I (5:20 PM)**

Mr. X is the head of an NGO working in the field of environment conservation and protection. He is in dire need of funds for the NGO's operations and payments to his staff. He is approached by an official of a large infrastructure company, who is ready to provide the required funding for the NGO. But, in a quid pro quo, he asks Mr X to raise objections over the bypassing of Environmental Impact Assessment (EIA) norms in an ongoing PPP project through his NGO. This project is being implemented by a rival infrastructure company. Mr. X knows that there have been instances of high-level corruption in the process of granting EIA to mega projects and the information provided by the official seems to be authentic. Hence, he accepts the money and agrees to raise the objection.

(a) Considering the circumstances of the case, is Mr. X correct in accepting the money? Give appropriate reasons for

your answer.

(b) If you were in place of Mr. X, what would have been your course of action? Give reasons for it.

**Approach:**

- Introduction: Analyse the X's act based on a utilitarian approach
- Analyse his act: Cite the good outcome of X's Action.
- Violation of EIA norms gets exposed and hence degradation of the environment can be prevented.
- At a personal level, the NGO gets the required funds and can sustain its good work.
- **Potentially damaging outcome:**
- Less credibility
- NGO works on voluntary donations and perform the important task of providing services to citizen where state reach is limited.
- Mr x's reduces the public trust and hence the legitimacy of NGOs- raises doubt that NGOs work with the vested interest of the donors.
- As a result, X's action produced only limited good outcomes, primarily for the NGO and for the funding company and bad actions for every ourselves.
- Therefore, X's actions are unethical and hence X's was wrong.

**CASE STUDY-II (5:50 PM)**

Mr. X worked in the human resources department that was interviewing applicants for a top job in a widget company. After reading many applications, one stood out way ahead of the others.....Mr. X feared that the company would never hire someone with a police record, no matter how minor or how long ago the offence was. Do you favour Mr. X revealing the information?

**Approach :**

- The case concerns the value of integrity, impartiality, double jeopardy, and unfairness. Whether X should reveal information or not should be based on the performance of the stated duty of X and the consequences on X, Y and Company.
- The only condition that X should reveal is if there was a state policy of the company to this effect otherwise X should not.
- Reason being :
- Accidental Positions of Information
- Unfair to Y or biased against Y
- Double Jeopardy
- Reformatory justice systems.

**CASE STUDY -III (6:42 PM)**

Gajendra, once a struggling film actor, was accused and later exonerated of rape charges, which the jury found to be motivated and fake. Not able to cope with the situation, he changed his profession and moved on.....What limitations, if any, can it be subjected to? Should there be any obligations on the search engines regarding cases, which are no longer relevant, as the one mentioned above?

**Approach:**

- Define what FR is: rights essential for human beings to lead a dignified life.
- Properties that make Right an FR i.e. when does a right become so important that the state takes direct responsibility for its protection
- Then argue whether Right to Forgotten has the necessary ingredients to be made an FR.
- Mention the limitation i.e. It cannot be an absolute right.
- It conflicts with the Right to information.
- **Potential misuse:**
- It may be made a legal right with obligations upon the entities required to act upon it i.e. search engines, which indirect responsibility of the Government to get it enforced.
- **Obligations:**
- 1. Objective rules to entertain request i.e. no bias.
- 2. Separate Public from private information
- 3. Public information should not be misleading
- **Conclusion:**
- Base it on the decision of the European Court of Justice

**CASE STUDY -IV (7:50 PM)**

You are posted in a district as a public servant responsible for looking into the matters of violation of the Right to Education Act. You came across a case in which a poor farmer had beaten his daughter for not going to take her fifth-class annual exams. Eventually, he tied her up with his motorbike and took her to the examination hall. Corporal punishment of children by parents or teachers is a punishable offence with a three-month jail term. ....

(a) What are the options available to you?

(b) Evaluate each of these options and choose the option which you would adopt, giving reasons.

**Approach:**

- The conflict between laws i.e. imposed from tops with current acceptable social norms especially those which are considered to be in the best interest of the society.
- Introduce your answer by identifying the ethical dilemma involved in this case for you, as a public servant.
- List the various courses of action you can take.
- Evaluate the listed action in terms of logical thinking that went behind it and justify the best option among them.

**THE TOPICS FOR THE NEXT CLASS: CASE STUDY WRT INTERNATIONAL RELATIONS.**

**Ethics Case Study Class 06**

**CASE STUDY 01 (01:08 PM):**

- Rakesh is a responsible district-level officer, who enjoys the trust of his higher officials. Knowing his honesty, the government entrusted him with the responsibility of identifying the beneficiaries under a healthcare scheme meant for senior citizens.
- The criteria to be a beneficiary are the following:
  - (a) 60 years of age or above.
  - (b) Belonging to a reserved community.
  - (c) Family income of less than 1 Lakh rupees per annum.
  - (d) Post-treatment prognosis is likely to be high to make a positive difference to the quality of life of the beneficiary.
- One day, an old couple visited Rakesh's office with their application. They have been the residents of a village in his district since their birth. The old man is diagnosed with a rare condition that causes obstruction in the large intestine. As a consequence, he has severe abdominal pain frequently that prevents him from doing any physical labor. The couple has no children to support them. The expert surgeon whom they contacted is willing to do the surgery without charging any fee. However, the couple will have to bear the cost of incidental charges, such as medicines, hospitalization, etc., to the tune of rupees one lakh. The couple fulfills all the criteria except criterion 'b'. However, any financial aid would certainly make a significant difference in their quality of life.
- How should Rakesh respond to the situation?
- **Approach:**
  - (You have to act with conviction).
  - This couple can't be given the benefits of any scheme as mentioned in the case study.
  - But the couple is having genuine issues, hence it is the duty of Rakesh to help the couple.
  - Lapsed funds** give the officer discretionary power for the identification of beneficiaries for those who might not fulfill the criteria as desired under the scheme.
  - Hence I will give assurance to the old couple that they will be provided benefits at the end of the quarter when the fund's lapse.
  - If the treatment is urgent, they may request to surgeon to perform the surgery in **govt hospitals**.
  - Meanwhile, if benefits can be provided under any govt scheme, they will be made beneficiaries.

**CASE STUDY 02 (01:34 PM):**

- Honesty and uprightness are the hallmarks of civil servants. Civil servants possessing these qualities are considered as the backbone of any strong organization. In the line of duty, they take various decisions, and at times some become bonafide mistakes. As long as such decisions, are not taken intentionally and do not benefit personally, the officer cannot be said to be guilty. Though such decisions may, at times, lead to unforeseen adverse consequences in the long term. In the recent past, a few instances have surfaced wherein civil servants have been implicated for bonafide mistakes. They have often been prosecuted and even imprisoned. These instances have greatly rattled the moral fibre of civil servants. How does this trend affect the functioning of civil services? What measures can be taken to ensure that honest civil servants are not implicated for bonafide mistakes on their part? Justify your answer.
- **Approach:**
- **Impact on the functioning of civil services:**
  - Leads to policy paralysis.
  - Chances of comprising neutrality.
  - It may hamper risk-taking/innovative behavior.
- **What can be done?**
  - There must be accountability in file checking.
  - The system should promote **competent people**.

- **360-degree performance review** of a servant.
- Code of ethics and code of conduct for politicians.

#### **CASE STUDIES BASED ON ETHICS IN INTERNATIONAL RELATIONS (02:20 PM):**

##### **CASE STUDY 03:**

- You are representing India in an international bidding for oil exploration in a country. Other, richer countries are also bidding for the project. You are sure that your bid of exploration is better as well as cheaper than that of others, and that you will definitely win the bid. A day before the auction, you come to know that other countries are employing every means, including bribing the authorities for being successful. Some of the officials of the home country have also contacted you and made some demands in exchange for the assurance of India winning the bid. You are aware of the criticality of this bid in terms of domestic economic and strategic implications. Based on the above information, answer the following questions.
- (a) Specify the ethical dilemma(s) that you face in this situation.
- (b) Do ethical concerns really matter in international transactions or are they secondary to domestic interests
- (c) What will be your course of action in the above situation? Justify with merits and demerits.
- **Approach:**
- Highlight the Ethical dilemma faced in this situation.
- Analyze the importance of ethical concerns in international transactions.
- Ethical concerns matter as if countries pursue their national interests in an unfair manner, this leads to adverse consequences for all.
- As such, there must be and there are international conventions and international institutions to ensure that the pursuit of national interest is not in an unfair manner.
- **Eg:** There are international conventions against corruption, money laundering, etc.
- Countries legislate statutes in pursuit of such conventions.
- **Eg:** The Prevention of Corruption Act.
- Each country, therefore has a right to prepare the best bid but the bidding itself should be free of any form of corruption.
- It is the duty of every country, in their best interest to ensure the upholding of international conventions and respect of international bodies.
- This also requires timely reform of international institutions.

##### **CASE STUDY 04 (03:21 PM):**

- Edward Snowden, a computer expert and former CIA administrator, released confidential Government documents to the press about the existence of Government surveillance programs. According to many legal experts and the US Government, his action violated the Espionage Act of 1971, which identified the leak of State secrets as an act of treason. Yet, despite the fact that he broke the law, Snowden argued that he had a moral obligation to act. He gave a justification for his “whistle blowing” by stating that he had a duty “to inform the public as to that which is done in their name and that which is done against them.” According to Snowden, the Government’s violation of privacy had to be exposed regardless of legality since more substantive issues of social action and public morality were involved here. Many agreed with Snowden. Few argued that he broke the law and compromised national security, for which he should be held accountable. Do you agree that Snowden’s actions were ethically justified even if legally prohibited? Why or why not? Make an argument by weighing the competing values in this case.
- **Approach:**
- Identify the values in conflict and stakeholders involved in the case study.
- **Competing values:** National interest vs. privacy.
- The actions can be justified by the following approaches:
- **Utilitarian approach:**
- From a utilitarian perspective, the ethical justification of Edward Snowden's actions should be evaluated based on the overall consequences they produced.
- Utilitarianism focuses on the greatest good for the greatest number and weighs the positive and negative outcomes of an action.
- Considering the utilitarian approach, if the benefits of Snowden's actions like greater awareness, discussions about surveillance, and potential policy changes, outweigh the potential harms to national security, then his actions could be deemed ethically justified.
- **Deontological approach:**
- The spying act can not be universalized.
- Govts act of spying is unethical.

- As a responsible citizen, Snowden's action is justified. He is acting according to his conscience.
- Snowden action can be justified by Kantian principle.
- Determining the ethical correctness of his actions requires a careful analysis of both perspectives.

**Note:** The portion of the case study has been completed with this class.