

Ethics, Morality and Values - I

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There has been considerable debate on how to make the government function in the best way, and in particular there has been a debate on the role of government, of regulatory institutions and of good governance in the developing world. Welfare state has been growing with state taking on many functions. With (great) power comes (great) responsibility, but how much and what form of state intervention (government regulation) is needed to achieve economic development, political accountability, poverty eradication and other objectives?

This debate has given a better understanding of the responsibilities of the administration, and how it should interact and interface with (elected) governments, with citizens, civil society and foreign as well as domestic corporations and private business institutions. Besides, ethics and ethical principles can help people make better decisions, and help people evaluate the decisions of others (like public officials). Much of this debate has focussed on "good governance", broadly speaking. Ethics has also been a part of this debate, in particular the discussion on professional ethics of civil servants, and to a lesser extent the professional and personal ethics of politicians and elected office holders.

Public administrators are no longer, if they ever were, expert technicians simply implementing the policy decisions of the policy makers. Rather, public administrators exercise substantial discretion (decision-making power) on their own, discretion that affects peoples' lives in direct, lasting, and sometimes profound ways. In addition, there can be reasons to question the legitimacy of the rules and the policy decisions that public administrators are implementing.

Administrators and bureaucrats cannot avoid making decisions, and in doing so they should attempt to make ethical decisions. Administrators have discretionary powers that go beyond the manuals, orders, job descriptions, and legal framework of their position and duties, and professional ethics will have to come in as guidelines, in addition to the formal regulations. Administrators should therefore seek a thorough understanding of ethical theories and traditions, and look for methods for thinking about the ethical dimensions of their decision-making.

Much the same can be said of politics. Politics is even lesser regulated than the public administration (constitutions and "the people" are the regulators of politicians, with less influence the more autocratic the political system). At the same time, the formal and the discretionary powers of politicians are almost unlimited.

The scientific debate has to a large degree been on how (or whether) the politicians and rulers can be made to rule for the benefit of the people (the nation at large, economic and social benefits for all) or for themselves only or some special interest. Karl Marx, for instance, said that the government was nothing but the executive committee of the bourgeoisie (the economically ruling elite; the propertied classes), whereas liberal theories have been preoccupied with restricting the powers of the state (as seen for instance in the American Constitution). Earlier, for a period of time there was a "realist" school within political science that eschewed any moral component of decision-making as naive, as a religious imposition or as plain hypocritical.

Political realism, or "power politics" encompasses a variety of theories and approaches, all of which share a belief that states (governments or ruling elites) are primarily motivated by the desire for economic power, privilege, and continuous rule (including military and territorial security), rather than ideals or ethics.

Likewise in economics, the standard view has been on humans as a "homo oeconomicus", a rational man attempting to pursue his selfish interests, with little regard for ethics.

Many people still believe that ethics is too weak and too 'nice' to be of real importance in what is regarded as the tough, dirty and unprincipled world of politics.

Ethics is sometimes viewed as ineffective. Ethics is also sometimes seen as negative (telling other people what they should not do) and impractical (because it is backed only by Conscience.

The era of power politics is passing, or at least it is being vigorously contested. As a section of philosophers argue: "viewing citizens as ethical actors is not the perspective of a hopeless idealist". Ethics has re-entered political science and economics, albeit not without resistance. It seems clear that governance reform through ethics alone will be ineffective; ethical standard setting needs to be coupled with legal regulation and institutional reforms.

Ethical issues in political science tend to be complex, ranging from micro-level personal issues to national, comparative and international relations. In politics, issues such as public vs. private interests, conflicts of interest, power abuse, and corruption have special salience.

However, to prevent misconduct is as complex as the phenomenon of misconduct itself.

What is Ethics?

Ethics refers to principles by which to evaluate behaviour as right or wrong, good or bad. Ethics refers to well based standards of right and wrong, and prescribe what humans ought to do. Ethics are continuous efforts of striving to ensure that people, and the institutions they shape, live up to the standards that are reasonable and strong. It is useful to distinguish between normative and descriptive ethics; normative ethics describes the standards for the rightness and wrongness of acts, whereas descriptive ethics is an empirical investigation of people's moral beliefs.

The law is one basic promoter of ethic behaviour. The law, however, only sets a minimum standard for ethical conduct. Just because an act is legal, does not automatically mean it is ethical (think of the apartheid laws, for instance). Nor is an illegal act necessarily immoral (breaking an apartheid law).

Moral Philosophy

Traditionally, moral philosophy (also known as normative ethics and moral theory) is the study of what makes actions right and wrong. These theories offer an overarching moral principle to which one could appeal in resolving difficult moral decisions. There are several strands of ethics, which differs on the basis (or rationale) for their various ethical considerations. The three best known normative theories are virtue ethics, consequentialism (in particular utilitarianism) and deontological ethics (and in particular Kantianism).

Virtue Ethics

Virtue ethics focuses on the character of the agent rather than on the formal rules for or the consequences of actions. The key elements of virtue ethical thinking are based on the approaches to ethical thinking of the ancient and medieval periods. The roots of the Western tradition lie in the work of Plato and Aristotle, but virtues are important also in traditions of Chinese moral philosophy. Both Buddhist and Confucian morality can be conceived as virtue ethics roughly similar to Aristotle and his doctrine of the mean. Mahatma Gandhi's ethics of non-violence is the most formidable contribution of virtue ethics in contemporary times. Virtue theory returned to prominence in Western philosophical thought in the twentieth century, and is today one of the three dominant approaches to normative theories.

Virtue ethics includes an account of the purpose of human life, or the meaning of life. To Plato and Aristotle, the purpose was to live in harmony with others, and the four Cardinal Virtues were defined as prudence, justice, fortitude and temperance. Proponents of virtue theory sometimes argue that a central feature of a virtue is that it is universally applicable.

Consequentialism

Consequentialism refers to those moral theories, which hold that the consequences of a particular action form the basis for any valid moral judgment about that action. Thus, in other words, descriptive ethics would try to determine what proportion of people believe that killing is always wrong, while normative ethics is concerned to determine whether it is correct to hold such a belief.

From a consequentialist standpoint, a morally right action is one that produces a good outcome, or consequence.

Utilitarianism is a specific strand of consequentialist ethics. Utilitarianism is the idea that the moral worth of an action is solely determined by its contribution to overall utility, that is, its contribution to happiness or pleasure as summed up among all persons. The more happiness or pleasure for the more people, the better. It is consequentialist because the moral worth of an action is determined by its outcome, and that the ends justify the means. Utility – the good to be maximized – has been defined by various thinkers, as happiness or pleasure (versus sadness or pain).

Deontological Ethics

Deontological ethics has also been called "duty" or "obligation" based ethics. Deontologists believe that ethical rules "bind you to your duty", and they look at the rightness or wrongness of actions themselves, as opposed to the rightness or wrongness of the consequences of those actions. Deontological ethics looks at our conformity/fidelity to principle and disregards the consequences of a particular act, when determining its moral worth.

Kantianism (or Kantian ethical theory) is deontological, revolving entirely around duty rather than emotional feelings or end goals. The core concept is "duty", or what one ought to do in certain situations. Kantianism states that truly moral or ethical acts are not based on self-interest or the greatest utility, but on a sense of "duty". Kantian theories are based on the work of the

German philosopher Immanuel Kant (1724 – 1804), to whom the "categorical imperative" is a core element. Kant thought that human beings occupy a special place in the world, and that morality can be summed up in one, ultimate commandment of reason, or imperative, from which all duties and obligations derive. A categorical imperative denotes an absolute, unconditional requirement that exerts its authority in all circumstances.

Kant argued against utilitarianism and other moral philosophy of his day, because for example an utilitarian would say that murder is allowed if it does maximize good for the greatest number of people.

As an example of these categorical imperatives or duties, philosophers have listed a few basic duties. One should: tell the truth; act justly; help others in respect to virtue, intelligence, and happiness; improve oneself with respect to virtue and intelligence; and avoid injury to others. In Kant's words, "Act so as to treat others as ends and not merely as means".

Take corruption as an example. Virtue ethics will consider corruption as a break of several categorical imperatives, including to avoid injury and to act justly, because corruption is to favour certain people. Likewise, deontological ethics (Kantianism) will look at your commitment to principle (and disregard the consequences of a particular act), and will argue that corruption involves deception and undermines the rational and moral capacity of those involved, and therefore deem corruption as unethical. Consequentialist theories like utilitarianism, however, may see corruption as ethical. Some observers have argued that corruption is to "grease the wheels" and can make bureaucracies work more efficiently (which is useful to most people). Although this argument is rarely seen today (the immediate efficiency gain is ruined by the long-term damage made to the administrative system), the argument can exemplify a perspective from which corruption can be seen as ethical.

Modern Moral Philosophy

In the 20th century, moral theories have become more complex and are no longer concerned solely with rightness and wrongness, but is increasingly revolving around claims-based or rights-based ethics, which are ethical theories based on the fundamental principle of human rights and other rights or claims of the individual. Rights-based theories argue that people have a claim to certain freedoms and rights, like liberal theories which focus on people's claim to freedoms like the freedom of speech, association, religion, etc.

These modern theories are focussing on people's claim to rights like human rights, civil rights, political rights and social/economic rights. One example is the Universal Declaration of Human Rights of the United Nations. Another example of rights-based theories is "welfareism", which argues that people have a claim to a welfare state that can provide them with security, basic health services, education, jobs, housing, etc.

An important characteristic of claims-based ethics is that it implies that people have claims against somebody, and that this somebody consequently has some obligations.

Thus, for a person to have a legitimate and meaningful claim to something, others must face a corresponding obligation. Somebody's ethical rights or rightful claims therefore give other people ethical obligations or rightful duties and responsibilities. Rights are ultimately claims

against others, and rights-claims generate correlative duties on the part of others. These others can be individuals, other members of society, various groups and usually – and in the case of legal rights, the state.

There are two basic divisions of rights. Natural rights pertain to everybody by virtue of being a human being. Natural rights apply to all persons, like our right to life. Other people, organisations, governments and the international community has all a duty to secure everybody's natural rights. Conventional rights (or legal rights) generally apply within the context of social and political organisations. Conventional rights apply to all members of a group, like all citizens of a state which has constitutionally granted citizen rights, like for instance the right to free association.

Why Public Sector (Government) Ethics?

The "others" that are the carriers of the duties and obligations to provide us with our legal and moral rights, freedoms and welfare are usually understood as the state or the public sector. The state is not only the foremost provider of rights and welfare, but the state is also the main provider of rights. In other words, negative duties are an obligation for everybody, whereas positive obligations are the duty of some particular group or institution, usually the state.

The public sector or the state is the government with all its ministries, departments, services, central/provincial/local administrations, parastatal businesses and other institutions. The public sector is composed of two core elements; at the political level there are the political institutions where policies are formulated and the (major) decisions are made, and at the administrative level there is the public sector administration, which is in charge of implementing these policies and decisions. This implementing level is also called the civil service or state administration or bureaucracy.

Public sector activities range from delivering social security, administering urban planning and organising national defence to the provision of health, schools and roads. In principle, there is no limit to what the state can do. There is, however, much debate on how much the state should intervene, like in the economic sectors and in the private life of their citizens. This is a political question, and the debate about the role and the size of the state and the public sector (as opposed to the private sector) is probably the single most important dividing line in political philosophy, with the socialists preferring greater state involvement, libertarians favouring only minimal state involvement (security and property protection), whereas conservatives and liberals are favouring state involvement in some aspects of the society but not others.

Ethics is rarely a matter of concern in the ideology debate on the role of the state, but ethics is a natural concern in the discussion on the actual role of the politicians and the state administration. No matter how big and what role the state is playing, both politicians and civil servants have discretionary powers; they make decisions that affect a lot of people. Therefore, these decisions ought to be based on some form of ethics. For instance, the public (a nation's citizens) will normally expect the country's politicians and public servants to serve in the public interest, and to serve in a rational and efficient way. They will not want them to pursue narrow private, personal, or group interests.

Professional, public sector ethics of civil servants and politicians are somewhat different from the personal ethics of individuals. In addition to the personal ethical values and principles of individuals (like respect for others, honesty, equality, fairness, etc.), the professional public servant faces another context and an additional set of values and principles. Although the public sector is a labyrinth of agencies with different tasks, reporting lines, levels of responsibility and ethical cultures, we are looking for these "universal" or basic principles of public service.

There are also some differences between public sector ethics and private sector (business) ethics. The aim of the private corporation or business is, in general, to make money, whereas the public sector is meant to perform functions for the society as a whole, according to general and political priorities. For instance, a private company can choose to donate some of its profits to charity, but a public agency may be prohibited from such largesse with public funds (without a specific mandate to do so). The context is different, and the principles of operation between the public and business sectors differ.

The ethics of public service is (should be) based on five basic virtues: fairness, transparency, responsibility, efficiency and no conflict of interest. There are, however, other principles in operation, and public servants face several dilemmas, for instance when the bureaucrats' private ethics collide with his professional public work ethics or organisational cultures.

The ethical character of an official may be unpredictable and tenuous, but a weak ethical basis of an individual can be overcome and his ethics become meaningful and directional, when a particular setting and structural pressures converge. There can, however, be a conflict between the belief system (ethical character) of the individual and the actions that the individual is ordered to take (the context pressure). For some, this may lead to profound frustration and cognitive dissonance. One example is when a public official, who believes in the standards of openness, fairness and accountable governance is being pushed into making decisions and serving people in disregard of these principles.

The contextual standards and principles can also be ambiguous and contradicting in themselves. Lofly principles can collide with mundane expectations, and high-flying political objectives can collide with implementation constraints. The ambiguity of public ethics is particularly apparent when values and obligations lodged within international conventions collide with national sovereignty and national political priorities, and when national policies collide with the socio-cultural norms of the local society. Several examples can illustrate this conflict. Take for instance the employee of the Bangladesh ministry of higher education, whose job was to distribute stipends and scholarships from foreign sources to the best applicants among local students. These stipends were a "commodity" in very short supply, which students and their families were willing to pay up large sums of money to obtain. The public servant at the ministry, however, was absolutely "clean"; he distributed the stipends according to merit by reviewing the exam papers and other credentials of the students, and accepted no bribes, to the satisfaction of the stipend providers and overseas universities. This came with a personal cost, because his salary was so meagre, he could only afford the rent of a single room, and he could not afford to marry. And more importantly, in the eyes of his family, he behaved shamefully unethically; his extended family had collected money for his education over years, but now he was a "wasted investment", he did not give the family anything in return. He was finally cut off from his own family, who looked upon him with disgrace.

A number of researchers have been looking at the moral stress facing civil servants who are living in two "different worlds". We all have an image of our better selves-of how we are when we act ethically or are "at our best." We probably also have an image of what an ethical community, an ethical business, an ethical government, or an ethical society should be. Ethics really has to do with all these levels-acting ethically as individuals, creating ethical organizations and governments, and making our society as a whole ethical in the way it treats everyone.

What Ethics is and is not

Simply stated, ethics refers to standards of behavior that tell us how human beings ought to act in the many situations in which they find themselves-as friends, parents, children, citizens, businesspeople, teachers, professionals, and so on.

It is helpful to identify what ethics is NOT:

- Ethics is not the same as feelings. Feelings provide important information for our ethical choices. Some people have highly developed habits that make them feel bad when they do something wrong, but many people feel good even though they are doing something wrong. And often our feelings will tell us it is uncomfortable to do the right thing if it is hard.

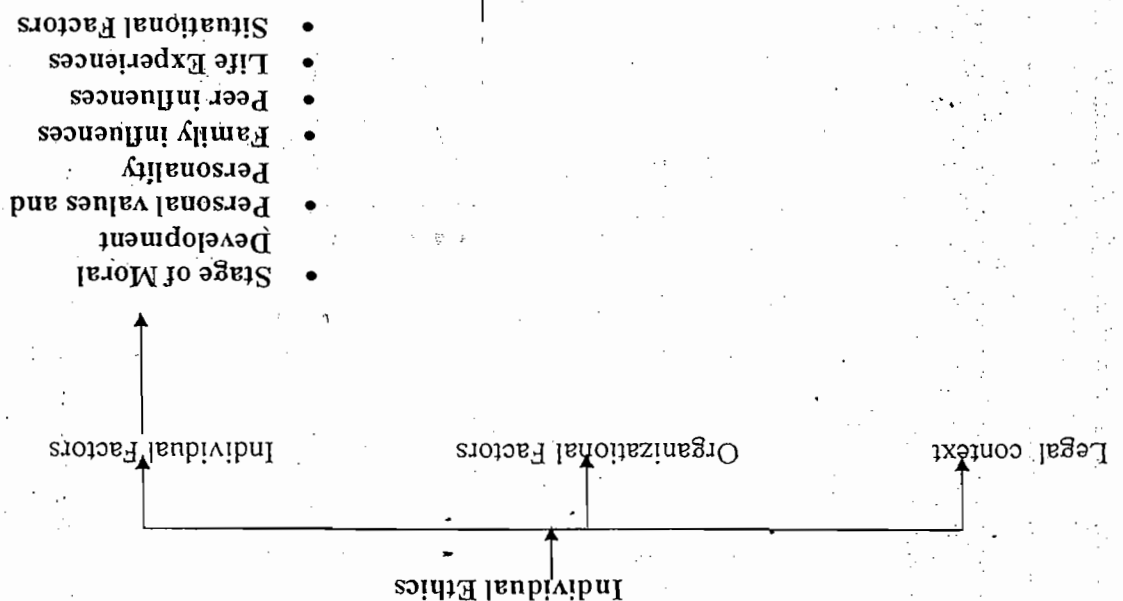
- Ethics is not religion. Many people are not religious, but ethics applies to everyone. Most religions do advocate high ethical standards but sometimes do not address all the types of problems we face.

- Ethics is not following the law. A good system of law does incorporate many ethical standards, but law can deviate from what is ethical. Law can become ethically corrupt, as some totalitarian regimes have made it. Law can be a function of power alone and designed to serve the interests of narrow groups. Law may have a difficult time designing or enforcing standards in some important areas, and may be slow to address new problems.

- Ethics is not following culturally accepted norms. Some cultures are quite ethical, but others become corrupt-or blind to certain ethical concerns (as the United States was to slavery before the Civil War). "When in Rome, do as the Romans do" is not a satisfactory ethical standard.

- Ethics is not science. Social and natural science can provide important data to help us make better ethical choices. But science alone does not tell us what we ought to do. Science may provide an explanation for what humans are like. But ethics provides reasons for how humans ought to act. And just because something is scientifically or technologically possible, it may not be ethical to do it.

Determinants of ethics



Factors influencing ethical behavior include:

- The person
 - Family influences, religious values, personal standards, and personal needs
- The organization
 - Supervisory behavior, policy statements and written rules, and peer group norms and behavior
- The environment
 - Government laws and regulations, societal norms and values, and competition climate in an industry

Organizational Factors that impact on ethics

1. Can affect influence participants behavior
2. One of the key sources of organizational influence is the degree of commitment of the organization's leader to ethical conduct
3. This commitment can be communicated through a code of ethics, policy statements, speeches, publications, etc.

How can high ethical standards be maintained?

> Ethics training:

- Structured programs that help participants to understand ethical aspects of decision making.
- Helps people incorporate high ethical standards into daily life.
- Helps people deal with ethical issues under pressure.

- Whistleblowers
 - Expose misdeeds of others to
 - Preserve ethical standards
 - Protect against wasteful, harmful, or illegal acts
 - Laws protecting whistleblowers vary.
 - Barriers to whistle blowing include:
 - Strict chain of command
 - Strong work group identities
 - Ambiguous priorities
 - Organizational methods for overcoming whistle blowing barriers:
 - Ethics advisors
 - Ethics staff units
 - Moral quality circles
 - Ethical role models:
 - Top managers serve as ethical role models.
 - All managers can influence the ethical behavior of people who work for and with them.
 - Excessive pressure can foster unethical behavior.
 - Managers should be realistic in setting performance goals for others.
 - Codes of ethics:
 - Official written guidelines on how to behave in situations susceptible to the creation of ethical dilemmas.
 - Areas often covered by codes of ethics:
 - Workforce diversity
 - Bribes and kickbacks
 - Political contributions
 - Honesty of books or records
 - Customer/supplier relationships
 - Confidentiality of corporate information
 - Ethical dilemma situations(in addition to what has been said above)
 - An ethical dilemma occurs when choices offer potential for personal and/or organizational benefit but may be considered unethical.
 - Ethical dilemmas include:
 - Discrimination
 - Sexual harassment
 - Conflicts of interest
- A recently survey of 2,000 major US corporations revealed that the following ethical problems concerned managers:-
1. Drug and alcohol abuse
 2. Employee theft
 3. Conflicts of Interest

The Fairness or Justice Approach Aristotle and other Greek philosophers have contributed the idea that all equals should be treated equally. Today we use this idea to say that ethical actions

is often said that rights imply duties-in particular, the duty to respect others' rights. privacy, and so on-is widely debated; some now argue that non-humans have rights, too. Also, it choices about what kind of life to lead, to be told the truth, not to be injured, to a degree of merely as means to other ends. The list of moral rights-including the rights to make one's own with their lives. On the basis of such dignity, they have a right to be treated as ends and not a dignity based on their human nature per se or on their ability to choose freely what they do respects the moral rights of those affected. This approach starts from the belief that humans have Other philosophers and ethicists suggest that the ethical action is the one that best protects and

The Rights Approach

Some ethicists emphasize that the ethical action is the one that provides the most good or does the least harm, or, to put it another way, produces the greatest balance of good over harm. The ethical corporate action, then, is the one that produces the greatest good and does the least harm for all who are affected-customers, employees, shareholders, the community, and the environment. Ethical warfare balances the good achieved in ending terrorism with the harm done to all parties through death, injuries, and destruction. The utilitarian approach deals with consequences; it tries both to increase the good done and to reduce the harm done.

The Utilitarian Approach

Five Sources of Ethical Standards

- *Be good citizens*
- Support social institutions, including economic and educational systems.
- Work with local government and institutions to protect environment.

Respect for basic rights

- Protect rights of employees, customers, and communities.
- Avoid anything that threatening safety, health, education, and living standards.

Respect for human dignity

- Create culture that values employees, customers, and suppliers.
- Keep a safe workplace.
- Produce safe products and services.

How organizational entities can respect core or universal values:

4. Quality control issues
5. Discrimination in Hiring and promotion
6. Misuse of proprietary information
7. Abuse of company expense accounts
8. Plant closings and lay-off
9. Misuse of company assets, and
10. Environmental pollution
11. Inappropriate gifts

treat all human beings equally-or if unequally, then fairly based on some standard that is defensible. We pay people more based on their harder work or the greater amount that they contribute to an organization, and say that is fair. But there is a debate over CEO salaries that are hundreds of times larger than the pay of others; many ask whether the huge disparity is based on a defensible standard or whether it is the result of an imbalance of power and hence is unfair.

The Common Good Approach The Greek philosophers have also contributed the notion that life in community is a good in itself and our actions should contribute to that life. This approach suggests that the interlocking relationships of society are the basis of ethical reasoning and that respect and compassion for all others-especially the vulnerable-are requirements of such reasoning. This approach also calls attention to the common conditions that are important to the welfare of everyone. This may be a system of laws, effective police and fire departments, health care, a public educational system, or even public recreational areas.

The Virtue Approach A very ancient approach to ethics is that ethical actions ought to be consistent with certain ideal virtues that provide for the full development of our humanity. These virtues are dispositions and habits that enable us to act according to the highest potential of our character and on behalf of values like truth and beauty. Honesty, courage, compassion, generosity, tolerance, love, fidelity, integrity, fairness, self-control, and prudence are all examples of virtues. Virtue ethics asks of any action, "What kind of person will I become if I do this?" or "Is this action consistent with my acting at my best?"

Ethics and morals

Both relate to "right" and "wrong" conduct. However, ethics refer to the series of rules provided to an individual by an external source, e.g. their profession. On the other hand, morals refer to an individual's own principles regarding right and wrong.

Improve this chart Ethics

Morals

<p>What is it?:</p> <p>The rules of conduct recognized in respect to a particular class of human actions or a particular group, culture, etc. It defines how things are according to the rules.</p>	<p>Source:</p> <p>Social system/External</p>	<p>Why we do it?:</p> <p>Because society says it is the right thing to do.</p> <p>What if we don't do it?:</p> <p>We will face peer/societal disapproval, or even be fired from our job.</p>
<p>Principles or habits with respect to right or wrong conduct. It defines how things should work according to an individuals' ideals and principles.</p>	<p>Largely Individual/Internal</p>	<p>Doing something against one's morals and principles can have different effects on different people, they may</p>

One professional example of ethics conflicting with morals is the work of a defense attorney. A lawyer's morals may tell her that murder is reprehensible and that murderers should be punished, but her ethics as a professional lawyer, require her to defend the client to the best of her abilities, even if she knows that the client is guilty. Similarly, a doctor may not like a violent person who committed a crime but has to attend to him if he is harmed.

Example of a conflict between ethics and morals

Ethics can also be understood as a code of conduct, for example, lawyers' and doctors' ethics. Ethics are external standards, provided by the institutions, groups or culture to which an individual belongs. For example, lawyers, policemen and doctors all have to follow an ethical code laid down by their profession, regardless of their own feelings or preferences. Ethics can also be considered as a framework for acceptable behavior.

Morals may also be influenced by culture or society, but they are personal principles created and upheld by the individuals themselves.

There is a position held by some that ethics "is the same as morality". This needs to be addressed.

The distinction can be demonstrated by using the analogy of a conversation. If one imagines that the field of ethics is a conversation that has arisen in order to answer the question, "What ought one to do?", then moralities (and they are various) are voices in that conversation.

Each voice belongs to a tradition or theory that offers a framework within which the question might be contemplated and answered. So there is a Christian voice, a Jewish voice, an Islamic voice, a Buddhist voice, a Hindu voice, a Confucian voice and so on. Each voice has something distinctive to say - although they may all share certain things in common.

Morals are the general sense of right and wrong. The basic ideas.

Ethics are more well defined sets of ideas.

Another view that ethics is the study of morals as can be understood from the conversation analogy given above.

Improve this chart	
Ethics	Morals
Flexibility: Ethics are dependent on others' for definition. They tend to be consistent within a certain context, but can vary between contexts.	Usually consistent, although can change if an individual's beliefs change.
	feel uncomfortable, remorse, depressed etc.

Values and Governance

Values have been an important concept in public Administration particularly since the mid-1980s when the concept of values has become increasingly central to the study and practice of public administration in many countries around the world. There are several reasons for this increased concern about values.

First, the private sector's emphasis in the 1980s on the concept of corporate culture and the accompanying emphasis on values had a spillover effect on public organizations; many of these organizations developed a statement of values, some public organizations have been successfully transformed by focusing on a change in their values rather than in their structures (Denhardt, 1993). Third, the increased emphasis of reformers on holding public servants relatively more accountable for results than for process led to a focus on values as a possible alternative to rules, directives and guidelines. Fourth, and more recent, has been the upsurge of concern about public service values, already noted, that has resulted from the perceived neglect or undermining of traditional public service values by certain proponents of public sector reform.

A fifth and final explanatory factor has been the steadily rising interest since the late 1960s in public service ethics — a concept so tightly intertwined with that of public service values that many commentators use the terms values and ethics interchangeably. As a result, many writings on public service ethics deal explicitly or implicitly with values issues, and many writings on public service values deal in part with ethics issues. It is important to distinguish between these two concepts.

Values are enduring beliefs that influence the choices we make from among available means and ends. Clearly, not all values are ethical values, that is, not all values relate to questions of right and wrong, good or evil. It is helpful, therefore, to distinguish ethical values from other types of values.

Efficiency, efficacy, expertise, loyalty, and accountability, citizenship, public interest, social equity, Political neutrality, competence, innovation, performance, honesty, integrity, self less service, bravery are some of the values

Abortion and Medical/Bio ethics

The abortion debate refers to the ongoing controversy surrounding the moral and legal status of abortion. The two main groups involved in the abortion debate are the self-described "pro-choice" movement (emphasizing the right of women to choose whether they wish to bring an embryo or fetus to term) and the self-described "pro-life" movement (emphasizing the right of the embryo or fetus to be born). Both of these are considered loaded terms in general media where terms such as "abortion rights" or "anti-abortion" are preferred. Each movement has, with varying results, sought to influence public opinion and to attain legal support for its position. Abortion law varies between jurisdictions. For example, in India abortion is available to women without any significant legal restrictions while in Ireland abortions are illegal except when a woman's life is at imminent risk.

Ethics refers to "moral philosophy", or the study of values and the analysis of right and wrong. The ethical debate over abortion usually surrounds the issues of whether a fetus has rights, in particular a right to life, and whether the pregnant woman's rights over her own body justify abortion even if the fetus has a right to life. For many, there is a strong association between religion and abortion ethics.

Ethical question regarding abortion usually include:

- Are embryos, zygotes and fetuses "persons" worthy of legal protections?
- Should the potential to be a person give embryos, zygotes and fetuses a right to life?
- Does a fetus gain rights as it gets closer to birth?
- Does a woman have an absolute right to determine what happens in and to her body?
- Is abortion acceptable in cases of rape or contraception failure?
- Is abortion acceptable in cases where the fetus is deformed?
- Is abortion acceptable in cases where if the pregnancy were to continue, it would pose a direct threat to the life of the mother?

Question of personhood

Establishing the point in time when a zygote/embryo/fetus becomes a "person" is open to debate since the definition of personhood is not universally agreed upon. Philosophers have traditionally declared that some characteristic of reason ought to be included in the definition of person, and the term "person" is not defined in standard science texts. Peter Singer argued that something can only be a person if it is self-aware and has temporal awareness. Therefore, abortion is morally acceptable, because a fetus does not meet this definition of personhood. Singer also concluded that infanticide would be permissible until the 3rd month after birth, because, at that point, self-awareness has still not been acquired. Additionally, the term "person" has many different definitions in law, specifically with children being defined in many ways. For instance, children are not considered persons until they reach the age of majority and are able to enter into legally binding contracts and sue or be sued. For the purposes of Offenses against the person law, however, they are considered to be persons.

Abortion and the Death of Savita Halappanavar

Savita Halappanavar, an Indian woman living in Ireland, had died from blood poisoning after doctors in a Galway hospital refused her request to abort the fetus that she was told she was miscarrying.

Ms. Halappanavar was 17 weeks pregnant. In October 2012, she went to a hospital in Galway complaining of back pain. Upon examination, she was told that she was having a miscarriage, and that it would soon be over. This did not happen. Instead, her ordeal continued for several more days. After a full day of "severe" pain carrying a child that was certain to die, Ms. Halappanavar asked that her pregnancy be terminated. Physicians were reported to have said that since they were in Ireland and the fetus had a heart beat they could not terminate the pregnancy. In Ireland, the unborn have a constitutional right to life. Ms. Halappanavar continued to suffer for a further two and a half more days before her fetus died and was removed from her body. By this time she was quite ill. She was then transferred to an Intensive Care Unit but she did not recover, dying some days later of complications due to septicæmia (blood poisoning.)

Since 1992 it has been legal in Ireland to terminate a pregnancy that poses a "substantial" danger to a woman's life. But there is quite a bit of uncertainty surrounding just what this implies in practice, since there are a range of ways one can interpret the notion "substantial". This may be why doctors were reluctant to cede her request. Unsurprisingly, given the legal situation, it is in their interest to interpret this notion conservatively.

This lack of clarity imposes serious costs on women. It imposed the ultimate sacrifice on Ms. Halappanavar. Indeed, the costs of forcing a woman to sustain the life of a fetus with no hope of survival are vastly greater than any benefit (direct or indirect) one might see in sustaining such a fetus.

Three serious costs are worthy of note. The first of which is the cost of dying against one's wishes in a way that appears to have been entirely preventable. Related to this harm and perhaps a consequence of imposing them are two further harms.

The first is the harm of forced intimacy. The American moral philosopher Margaret Little has brought this harm to light in her powerful and nuanced article "Abortion, Intimacy, and the Duty to Gestate." Little argues that pregnancy is a kind of intimacy. It involves being physically intertwined with, "inhabited" and "occupied" by, another being. Most will agree that being forced to be intimate with another being is harmful. It follows from this that forcing a woman to remain pregnant without her consent is harmful to her. It is therefore wrong to force women to sustain unwanted pregnancies.

The final kind of harm is one that involves being forced to live according to a religious doctrine that one reasonably rejects. This harm was done to Ms. Halappanavar, a Hindu, in the most overt way. It was reported that she was told that she was in Ireland and that therefore she had to abide by the religion of its majority. Ireland is a Catholic country and its laws reflect that. But it is also increasingly a pluralistic and multicultural society. Approximately twenty percent of its population are not Catholic. This means that in its borders are people who reject on entirely plausible grounds its predominant religion but who are nonetheless bound by its laws. Forcing someone to live by religious code that they reasonably reject offends against

their liberty and their equality because it involves coercing them by mechanisms that they do not see as legitimate. It does violence to a woman's liberty to make her live by a religious doctrine that is not justified to her with reasons that she can accept from her own point of view.

It was wrong to impose these costs on Ms. Halappanavar in order to sustain the life of a fetus for a few extra days. No law should ask for such a sacrifice from any woman. The premature death of Sarita led to so much furor that Ireland changed its abortion laws. The rights of women and religious minorities require it.

In July 2013, Ireland President Michael D. Higgins signed the Protection of Life During Pregnancy Bill

Ireland's head of state has signed the country's first bill on abortion into law, legalising the practice in exceptional cases where doctors deem a woman's life at risk.

The law permits abortions to alleviate life-threatening conditions, including a woman's own threat to commit suicide if refused a termination.

Until now, Ireland's only legislation on abortion was a handed-down British law from 1867, outlawing the practice with a maximum penalty of life imprisonment. The new maximum sentence is 14 years.

The debate around the European nation's stringent anti-abortion laws was reignited following the death of 31-year-old Savita Halappanavar, who died from septicemia following a miscarriage in October 2012.

Euthanasia and ethics

The term 'euthanasia' (or 'mercy killing') comes from the Greek word meaning 'good death'.

It refers to the practice of intentionally ending a life in order to relieve pain and suffering. There are different euthanasia laws in each country. Euthanasia is categorized in different ways, which include voluntary, non-voluntary, or involuntary. As of 2013, euthanasia is the most active area of research in contemporary bioethics.

Involuntary euthanasia occurs when euthanasia is performed on a person who is able to provide informed consent, but does not, either because they do not choose to die, or because they were not asked.

Involuntary euthanasia is contrasted with voluntary euthanasia (euthanasia performed with the patient's consent) and non-voluntary euthanasia (where the patient is unable to give their informed consent, for example when a patient is comatose or a child). Involuntary euthanasia is widely opposed and is regarded as a crime in legal jurisdictions.

Historically, the euthanasia debate has tended to focus on a number of key concerns. Proponents of euthanasia have presented four main arguments: a) that people have a right to self-determination, and thus should be allowed to choose their own fate; b) assisting a subject to die might be a better choice than requiring that they continue to suffer; c) the distinction between passive euthanasia, which is often permitted, and active euthanasia, which is not substantively unreasonable or unsound); and d) permitting euthanasia will not necessarily lead to unacceptable consequences. Pro-euthanasia activists often point to countries like the Netherlands and Belgium, and states like Oregon, where euthanasia has been legalized, to argue that it is mostly

unproblematic. Further, the reallocation of costs of medicines to those who have achnac to live is rational. Also, the financial burden on the family is a relevant factor

Similarly, that there are four major arguments presented by opponents of euthanasia: a) not all deaths are painful; b) alternatives, such as cessation of active treatment, combined with the use of effective pain relief, are available; c) the distinction between active and passive euthanasia is morally significant; and d) legalising euthanasia will place society on a slippery slope, which will lead to unacceptable consequences. A slippery slope argument states that a relatively small first step leads to a chain of related events culminating in some significant effect, much like an object given a small push over the edge of a slope sliding all the way to the bottom. Critics of euthanasia sometimes claim that legalizing any form of the practice will lead to a slippery slope effect, resulting eventually in non-voluntary or even involuntary euthanasia.

An argument against is the general religious one : that god created life and only god has the right to take it away, that no man should have the legal power to take away life for whatever reason.

Aruna Shanbag

The Supreme Court in 2011 allowed passive mercy killing of a patient in a permanent vegetative state (PVS) by withdrawing the life support system with the approval of a medical board and on the directions of the High Court concerned.

A Bench of Justices Markandey Katju and Gyan Sudha Misra, however, did not accept the plea of Pinky Virani seeking permission to withdraw life support to her friend, Aruna Ramachandra Shanbag, who has been lying in a PVS in the KEM hospital Mumbai for 37 years. Apex court allowed passive euthanasia and laid down guidelines.

The Bench, however, held illegal active mercy killing of a patient suffering acute ailment with a poisonous injection or by other means.

Writing the judgment, Justice Katju said: "There is no statutory provision in our country as to the legal procedure for withdrawing life support to a person in PVS or who is otherwise incompetent to take a decision. We agree that passive euthanasia should be permitted in our country in certain situations."

The Bench pointed out that in the absence of a law against sexual harassment at work places, the Supreme Court in the Visakha case had laid down guidelines. Similarly, "we are laying down the law in this connection which will continue to be the law until Parliament makes a law on the subject. A decision has to be taken to discontinue life support [to a patient in PVS] either by the parents or the spouse or other close relatives, or in the absence of any of them, such a decision can be taken even by a person or a body of persons acting as a next friend. It can also be taken by the doctors attending the patient. However, the decision should be taken bona fide in the best interest of the patient."

The Bench said: "If we leave it solely to the patient's relatives or to the doctors or the next friend to decide whether to withdraw life support to an incompetent person, there is always a risk in our country that this may be misused by some unscrupulous persons who wish to inherit or otherwise grab the property of the patient. Considering the low ethical levels prevailing in our society today and the rampant commercialisation and corruption, we cannot rule out the possibility that unscrupulous persons with the help of some unscrupulous doctors may fabricate material to show that it is a terminal case with no chance of recovery."

Whistle blowing

A whistleblower is a person who exposes misconduct, alleged dishonest or illegal activity occurring in an organization. The alleged misconduct may be classified in many ways; for example, a violation of a law, rule, regulation and/or a direct threat to public interest, such as fraud, health and safety violations, and corruption. Whistleblowers may make their allegations internally (for example, to other people within the accused organization) or externally (to regulators, law enforcement agencies, to the media or to groups concerned with the issues).

Whistleblowers frequently face reprisal, sometimes at the hands of the organization or group which they have accused, sometimes from related organizations, and sometimes under law. Questions about the legitimacy of whistle blowing, the moral responsibility of whistle blowing, and the appraisal of the institutions of whistle blowing are part of the field of political ethics.

Whistleblowing is a valuable tool in any organisation's corporate governance strategy as it empowers employees to act on incidences of misconduct and help maintain a safe workplace, while protecting profits and reputation.

But is whistleblowing ethical? Surely at base level, altruistically reporting wrongdoing must be ethical? The act of whistleblowing can cause a conflict of interest between the personal, organisational and societal spheres. Much of this conflict stems from the context that one views a whistleblower – as someone sharing knowledge of misconduct for the benefit of others or someone who is acting 'disloyal' to their organisation.

What does whistle blowing have to do with ethics?

Whistle blowing has to do with ethics because it represents a person's understanding, at a deep level, that an action his or her organization is taking is harmful—that it interferes with people's rights or is unfair or detracts from the common good. Whistle blowing also calls upon the virtues, especially courage, as standing up for principles can be a punishing experience. Even though laws are supposed to protect whistle blowers from retaliation, people who feel threatened by the revelations can ostracize the whistle blower, marginalizing or even forcing him or her out of public office. On the other hand, there have been occasions when the role of whistle blower has actually catapulted people into higher office and has earned the respect of constituents.

What ethical dilemmas does whistle blowing present?

When a person encounters wrongdoing in the public sphere, his or her first step should probably be to use the organization's internal whistle blowing mechanisms. Whistle blowers in the public sector often face the unique problem that their disclosure may constitute a crime. This can create an ethical dilemma when the ongoing misconduct is severe and there is no reasonable prospect that the abuse will end absent blowing the whistle.

All government bodies should have fairly straightforward lines of authority. For example, if a subordinate officer has a problem, he or she would go to next level manager. It's always best to start with the mechanisms the organization has set up to deal with problems because these represent the best chance at an amicable solution.

If wrongdoing is not being addressed within the organization, it may be time to blow the whistle.

The first thing a potential leaker should ask is the status of the information itself. Is the information "classified," "proprietary," or otherwise "protected?" Is there a system in place which clearly considers this information restricted? If the information is clearly intended to be protected, then the leaker must meet a stiff test if he or she wants to leak it.

The second consideration is whether the potential leaker has a specific obligation, legal or ethical, to protect the information. If so, then it is a much more serious matter to reveal it.

The third consideration is whether the information is about public or private matters. Information about another's sexual orientation, about his or her private finances, or about personal phone calls has more of a claim to privacy than information about a person's actions as a corporate executive or a government official. The difficult cases, of course, are those where the private life of individuals arguably influences their public actions.

Potential leakers must assess the good and harm their leak may do. When lives are at stake or scores of rupees are being misappropriated, those concerns for the public good trump the harm to personal privacy or government secrecy.

On the other hand, a leaker must determine if the conduct he or she is exposing represents actual wrongdoing or if it is simply represents a policy disagreement.

An employee has a significant obligation of loyalty to a company. However, the duty of loyalty is not absolute; it is a prima facie duty that can be overridden in certain circumstances. These conditions are:

- That the act of whistleblowing stem from appropriate moral motive of preventing unnecessary harm to others;
- That the whistleblower use all available internal procedures for rectifying the problematic behavior before public disclosure, although special circumstances may preclude this;
- That the whistleblower have 'evidence that would persuade a reasonable person';
- That the whistleblower perceive serious danger that can result from the violation;
- That the whistleblower's action have some reasonable chance for success.

Ranbaxy settled an 8-year long battle with the US Food and Drug Administration (US FDA) for 500 million US dollars. Dinesh Thakur pursued legal battle with drug maker Ranbaxy before the US FDA. He was director and global head of Research Information and Portfolio Management at Ranbaxy Laboratories between 2003-2005. He went on to become the man who unraveled the most high profile generic drug violation case in the US to date. It began in 2005, when he first reported falsified data from Ranbaxy's Ponta Sahib and Dewas plants to the management and when no steps were taken, took his concerns over these falsified records and violations of US Drug manufacturing rules to the US FDA. This led to civil and criminal charges against Ranbaxy and some of its senior directors.

After 8 years, his efforts have been rewarded. With Ranbaxy pleading guilty to felony charges and agreeing to pay a fine of 500 million dollars to settle the civil and criminal cases, Thakur has received a 48.5 million dollar payment under the whistleblower provision in the US False Claims

Act. Thakur's identity as the whistle blower was revealed by the US Department of Justice after the settlement was reached.

Dinesh Thakur, former Ranbaxy employee turned whistleblower says, "It took us eight years to help government authorities unravel a complicated trail of falsified records and dangerous manufacturing practices that threatened to compromise the quality and safety of Ranbaxy drugs. This case highlights the need for effective regulation that applies to drugs sold in the United States, regardless of where they are manufactured."

Edward Snowden is another case. Julian Assange and Manning went before him in 2011. An engineer, Satyendra Dubey, was killed in 2003; Dubey had blown the whistle in a corruption case in the National Highways Authority of India's Golden Quadrilateral project. Two years later, an Indian Oil Corporation officer, Shanmughan Manjunath, was murdered for sealing a petrol pump that was selling adulterated fuel.

How can government encourage whistle blowing?

In an article about whistle blowing in a business context, scholars make a useful distinction between external and internal whistle blowing. They argue that companies should encourage internal whistle blowing so that problems are solved within the organization before employees feel they must go outside to get action. The same is true for government bodies, which need to know about problems early—before illegal contracts must be renegotiated or aquifers have been polluted or the public's money has been squandered or unethical behavior has become front-page news.

They make several suggestions about how to encourage internal whistle blowing. Create a policy about reporting illegal or unethical practices, which should include:

- Formal mechanisms for reporting violations, such as hotlines and mailboxes.
- Clear communications about the process of voicing concerns, such as a specific chain of command, or the identification of a specific person to handle complaints.
- Clear communications about bans on retaliation.
- Get endorsement of the policy from top officials—
- Investigate and follow up promptly on all allegations of misconduct.

The Public Interest Disclosure and Protection to Persons Making the Disclosures Bill, 2010

Commonly known as the Whistleblower's Bill, it seeks to establish a mechanism to register complaints on any allegations of corruption or willful misuse of power against a public servant. The Bill also provides safeguards against victimisation of the person who makes the complaint. Key features:

- The Bill seeks to protect whistleblowers, i.e. persons making a public interest disclosure related to an act of corruption, misuse of power, or criminal offence by a public servant.
- Any public servant or any other person including a non-governmental organization may make such a disclosure to the Central or State Vigilance Commission.
- Every complaint has to include the identity of the complainant.
- The Vigilance Commission shall not disclose the identity of the complainant except to the head of the department if he deems it necessary. The Bill penalises any person who has disclosed the identity of the complainant.

- The Bill prescribes penalties for knowingly making false complaints.

Analysis

- The Bill aims to balance the need to protect honest officials from undue harassment with protecting persons making a public interest disclosure. It punishes any person making false complaints. However, it does not provide any penalty for victimising a complainant.
- The CVC was designated to receive public interest disclosures since 2004 through a government resolution. There have been only a few hundred complaints every year. The provisions of the Bill are similar to that of the resolution. Therefore, it is unlikely that the number of complaints will differ significantly.
- The power of the CVC is limited to making recommendations. Also it does not have any power to impose penalties. This is in contrast to the powers of the Karnataka Lokayukta and the Delhi Lokayukta.
- The Bill has a limited definition of disclosure and does not define victimisation. Other countries such as US, UK, and Canada define disclosure more widely and define victimisation.
- The Bill differs on many issues with the proposed Bill of the Law Commission and the 2nd Administrative Reform Commission's report. These include non-admission of anonymous complaints and lack of penalties for officials who victimise whistleblowers.

The Indian Companies Act 1956 does not yet make it mandatory for companies to have whistleblowing policies and any moves to rectify this have come to nothing. Under Clause 177 of the Act every listed company must establish a vigil mechanism for directors and employees to report genuine concerns. Such a channel is a positive step, though effective implementation and protection mechanisms are the true litmus test of a well-functioning whistleblowing or speak-up process.

Conflict of interest

A conflict of interest (COI) occurs when an individual or organization is involved in multiple interests, one of which could possibly corrupt the motivation for an act in another. The presence of a conflict of interest is independent from the execution of impropriety. Therefore, a conflict of interest can be discovered and voluntarily defused before any corruption occurs. A widely used definition is: "A conflict of interest is a set of circumstances that creates a risk that professional judgement or actions regarding a primary interest will be unduly influenced by a secondary interest." Primary interest refers to the principal goals of the profession or activity, such as the protection of clients, the health of patients, the integrity of research, and the duties of public office. Secondary interest includes not only financial gain but also such motives as the desire for professional advancement and the wish to do favours for family and friends, but conflict of interest rules usually focus on financial relationships because they are relatively more objective, fungible, and quantifiable. The conflict in a conflict of interest exists whether or not a particular individual is actually influenced by the secondary interest. It exists if the circumstances are reasonably believed (on the basis of past experience and objective evidence) to create a risk that decisions may be unduly influenced by secondary interests.

The following are the most common forms of conflicts of interests:

- Self-dealing, in which an official who controls an organization causes it to enter into a transaction with the official, or with another organization that benefits the official. The official is on both sides of the "deal."
- Outside employment, in which the interests of one job contradict another.
- Family interests, in which a spouse, child, or other close relative is employed (or applies for employment) or where goods or services are purchased from such a relative or a firm controlled by a relative. For this reason, many employment applications ask if one is related to a current employee. If this is the case, the relative could then refuse from any hiring decisions. Abuse of this type of conflict of interest is called nepotism.
- Gifts from friends who also do business with the person receiving the gifts. (Such gifts may include non-tangible things of value such as transportation and lodging.)

Regulating conflict of interest in government is one of the aims of political ethics. Public officials are expected to put service to the public and their constituents ahead of their personal interests. Conflict of interest rules are intended to prevent officials from making decisions in circumstances that could reasonably be perceived as violating this duty of office. Rules in the executive branch tend to be stricter and easier to enforce than in the legislative branch

Politics is dominated in many ways by political campaign contributions. Candidates are often not considered "credible" unless they have a campaign budget far beyond what could reasonably be raised from citizens of ordinary means. The pernicious impact of this money can be found in elections. There is negative impact of these contributions on legislative behavior. In many cases money helped elect candidates and the legislators in reciprocity help the contributors - various lobbies.

When such large sums become virtually essential to a politician's future, it generates a substantive conflict of interest.

Beyond this, governmental officials, whether elected or not, often leave public service to work for companies affected by legislation they helped enact or companies they used to regulate or companies affected by legislation they helped enact. This practice is called the Revolving door. Former legislators and regulators are accused of (a) using inside information for their new employers or (b) compromising laws and regulations in hopes of securing lucrative employment in the private sector. This possibility creates a conflict of interest for all public officials whose future may depend on the Revolving door.

Public service is always about protecting the common good, which may be defined as the common conditions that are important to the welfare of everyone - police, fire, parks, libraries, and other services. A public servant must always put the common good ahead of any personal, financial, or political benefit they might receive from a decision about such matters as where to situate a park or who should collect the garbage.

Also, conflicts of interest interfere with the basic ethical principle of fairness-treating everyone the same. A public official should not take unfair advantage of his or her position by voting on a matter that could benefit them at the expense of others:

Finally, conflicts of interest undermine trust. They make the public lose faith in the integrity of governmental decision-making processes.

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