

ETHICS IN POLITICS-ADMINISTRATION AND BUSINESS

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ABSTRACT

In the public administration the civil servants are exercising their power of decision everyday in many ways. They delivered a wide range of services for the benefit of the people. They must possess higher ethical standard. They are accountable for any departure from the established ethical practice. Hence in Public Sector, Ethics must be understood an activity but not as a statute. Thus they have following obligations:

- A. Obligations before the Constitution.
- B. Obligations before the Law.
- C. Obligations before the Nation and Country.
- D. Obligations before the Democracy.
- E. Obligations before Bureaucratic Organizations.
- F. Obligations before Family and Friends.

Similarly there is ethics in corporate governance. The following are the ingredients:

- a) Equitable treatment of share holders.
- b) Interest of other state holders.
- c) Role and responsibilities of the board.
- d) Integrity and ethical behavior.
- e) Disclosure and transparency.

Keyword: Ethics in politics and administration ,Ethics and morality ,Meta ethics ,Normative ethics ,Descriptive ethics ,Typologies of ethics ,Elements of ethical behaviors ,Ethical standards ,Code of conduct ,Business ethics and Positive rights and negative rights.

1. INTRODUCTION

Ethics is a requirement for human life. Without ethics our action would be treated as aimless. It may not be possible to achieve our goals with the possibility of success. Any mistake in our ethics will reduce our ability to achieve success in our efforts. Ethics seeks to solve our questions with human morality concepts like good or evil- right and wrong- virtue and vice - justice and crime. There is a continuous debate about the meanings of the term ethics in our academic community such as philosophy, logic and political science. Philosophy is concerned with branch of ethics dealing with duty- moral obligation and moral commitment. Rights are legal, social and ethical principles of freedom. Rights are fundamental normative rules. They are fundamental to the civilization. They are established pillars of society and culture. There is a history of social conflicts regarding the origin and growth of rights. There is a connection between the rights and

the struggle. The rights have roots with ancient philosopher concerned with the concept of justice and natural law of philosophers. Normally rights are derived from God or Nature. Conduct in ethics means moral conduct or the moral life.

1. According to Stanford Encyclopedia of Philosophy “Rights described the form of the government, content of the law, and the shape of morality as it is currently pursued”¹
2. According to Jarmy Bentham “Legal rights were the essence of rights and derived the existence of natural rights.”
3. According to Thomas Aquinas “Rights purported by the positive law but not grounded in natural law . But only a façade or pretence of rights.

There is a distinction between the individual rights and the group rights. Individual rights are those rights held by individuals regardless of group membership. Group rights are those rights which are held in composite capacity and assembly capacity.

Positive Rights and Negative Rights

Positive rights are permission to do something. Negative rights are permission not to do things.

Ethics and Morality:

- A. According to Cambridge dictionary of philosophy, ethics is commonly used interchangeably with morality. Morality is used to refer to the customs, principles of conduct and moral quotes.
- B. According to Socrates “Our true happiness is promoted by doing what is right. When you are true, utility has served you or achieving happiness. Human action aims towards the good.”
- C. According to Aristotle “Humans are not inherently virtuous. Hence the ethics must be taught and practiced.”
- D. According to Immanuel Kant “Ethics are not derived from human feelings. Ethics can be identified by the use of reason.”
- E. According to Thomas Paul and Linda Elder “Ethics is a set of concepts and principles that guide us in determining what behavioral help or harms sentient creatures.”

Main areas of focus of the study of ethics falls into three main areas known as Meta Ethics, Normative Ethics and Descriptive Ethics².

- A. Meta Ethics is concerned with every nature of right or wrong.
- B. Normative ethics defines specific standards and principles to guide our conduct in answer to question.
- C. Descriptive ethics describes ethical values, norms and behaviors of individuals and groups.

There are six typologies of ethics: 1. Decision ethics. 2. Professional ethics. 3. Clinical ethics. 4. Business ethics. 5. Organizational ethics. 6. Social ethics.

Thus ethics is a branch of philosophy which deals in systematizing defending and recommending the concepts of right and wrong conduct. It has a long history of endless quest of discovering the most enlightening the ways of existence and realization of our essential humanity. Ethical theory

is closely related to forms of life in various social orders and has many applications in the present complex world and the relationship.¹

Several moral thinkers and philosophers have contributed to the concept of ethics from the western world and from India. Following western philosophers have dealt with concept of Ethics.

1. Socrates (470 BC to 399 BC)
2. Plato (427 BC to 347 BC)
3. Aristotle (384 BC to 322 BC)
4. Thomas Hobbes (1588 to 1679 AD)
5. Immanuel Kant (1724 to 1804 AD)
6. Hegel (1770 to 1831 AD)
7. John Rawls (1921 to 2002 AD)

Indian philosophers have dealt with ethics

Indian schools of ethics are the oldest in moral philosophy. They have made significant contributions to the heritage of moral philosophy. Indian school of philosophy is broadly classified into orthodox and heterodox. Examples- Ramanand (1400 to 1470 AD), Kabir (1440 to 1518 AD), Ravidas (1450 to 1540 AD), Tulsidas (1532 to 1623 AD), Tukaram (1598 to 1649 AD), in addition to these Sikh philosophers have also contributed.

Besides these philosophers, philosophers of Hinduism have also contributed since vedic period. In modern times Buddha, Basavanna and Jain thinkers and Islamic thinkers have also contributed to the concept of Ethics. Thus the ethical governance is an important matter. The measure of implementation of Ethical laws is based upon the legitimate norms and values of the society. The ethical norms are dependent upon the conscience of every individual. When ethical principles are codified into laws, they are described as Code of Conduct. Thus the laws, rules and regulations are the sources of Ethics. Even in international relations the ethical conduct is based upon high ethical values. The Company's Act 2013, is based upon the concept of corporate governance. International organizations like UNO, World Bank, International Monetary fund and World Trade organization are dependent upon ethics in international funding. Thus all organizations require a set of principles and quotes to set the goals and aspirations of the organizations. The quotes are translated in the form of Code of Ethics and Code of Conduct. There is a slight difference between the two quotes. The Code of Ethics is a broader concept which lays down the guiding principles. But Code of Conduct is a set of Legal instructions which should be followed. In recent times Citizen's Charter has become more popular. It has laid down the rights and obligations of every citizen.

Indian Scenario

The following are the examples for code of conduct for ministers, administrators, and business employees. According to SARC, following are the elements of ethical behavior.

- a. Ethical norms and practices
- b. Disclosing personal interest in business to avoid conflict
- c. Mechanism for enforcing the codes
- d. Mechanism for qualifying and disqualifying the politicians.

Following are the Ethical standards prescribed by the Nolan committee of the United Kingdom³.

1. Selflessness, 2.Integrity, 3.Objectivity, 4.Accountability, 5.Openess, 6.Honesty, 7.Leadership.

Code of conduct for ministers, members of Parliament and State Legislatures

- a. In a democracy, holders of political office are accountable to the people. Ministers exercise influence over the lives of the people. Hence the authority will have to exercise in the best interest of the people.
- b. They must inform about the assets, liabilities and business interest of the family members.
- c. If they have business, they have to cut off themselves with the management of business.
- d. They have to give up their management in any business which supplies the goods and services of the government.
- e. They should never accept any fee remuneration or benefits for a vote given on the floor of the house.
- f. They should not take gift which will interfere with the honest and impartial discharge of their official duties.
- g. They should not disclose any information for advancing their personal interest. They should desist from giving certificates to the individuals having no personal knowledge.
- h. They should not misuse the facilities available to them. They must work for promotion of secular values.
- i. When there is a conflict between the personal interest and public interest they must subordinate their personal interest to their public interest.
- j. The office of Ethics Commissioner must be constituted in each House of the Parliament and in each House of the State Legislature.
- k. Schemes such as MPLAD' and MLALAD' should be abolished.
- l. There must be accountability and transparency in decision making.
- m. They must hold allegiance to the ideals mentioned in the Preamble of the Constitution.
- n. They must ensure economy and avoid wastage and expenditure.

Regarding the office of profit the law should be announced based upon the following principles:

- i. All offices in the advisory bodies shall not be treated as office of profit.
- ii. All offices relating to executive decision making and control of public funds will be treated as office of profit.
- iii. If any minister serving in any organization is working day to day functioning of government, it shall not be treated as office of profit.
- iv. Members of Parliament and Members of State Legislature should be declared as public authorities.

Code of Conduct for Judges

1. Justice must nearly be done but it must also be seen to be done.
2. A judge should not contest the election to any office or club or society.
3. They must avoid close association with the individual members of the Bar.
4. They should not permit any member of the family to appear before him in connection with the official matters.
5. If a member of his family is a member of Bar Council, he shall not be permitted to use the residence of the judge.
6. A judge must maintain aloofness and keep the dignity of the office.

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7. They must not participate in public debate and they must not express their views on political matters.
 8. They should not give interviews to media.
 9. They should not accept the gifts from friends.
 10. They should not speculate in shares and stock markets.
 11. They should not engage directly or indirectly in trade or business.
 12. They should not accept the contributions and they should not associate themselves with the rising of funds.
 13. They are under the public gaze and hence they should maintain dignity and decorum.

Code of Conduct for Civil Servants:

1. According to the recent rules for Civil servants 2020 issued by Government of Karnataka the following are general principles:
 - a. Maintain absolute integrity.
 - b. Maintain devotion to duty.
 - c. Do nothing which is unbecoming of the government servant.
 - d. Not involve in any criminal activity.
 - e. High ethical standards.
 - f. Political neutrality.
 - g. Principles of merit, fairness and impartiality in the discharge of the office duties.
 - h. Accountability and transparency.
 - i. Responsiveness to the public.
 - j. Courtesy and good behavior with the public.
 - k. Commit himself to uphold the supremacy of the constitution.
 - l. Defend and uphold the sovereignty and integrity of India – Security of the States – Public order – Decency and morality.
 - m. Take decisions in public interest.
 - n. Not place himself under any financial obligations.
 - o. Not misuse his position as civil servant.
 - p. Maintain confidentiality in the performance of official duties.
 - q. Discharge his duties with highest dedication.
 - r. Shall maintain the punctuality in attendance and devote maximum time towards performance of official duties.
2. They shall not use their position to secure employment for any members of his family.
3. They shall not discharge official duties in connection with sanctioning contract if any member of his family is interested.
4. They shall not take part in politics and elections.
5. They shall not join in any outside associations except their professional associations relating to their duties and responsibilities.
6. They must not participate in demonstrations and strikes.
7. They must not have connection with Press, Radio, TV or nay other media for ventilation of grievances.

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8. They must not tender evidence before any committee or any authority without the permission of the competent authority.
 9. They must not indulge in unauthorized communication of information.
 10. They must not take any subscription or gifts.
 11. They must not participate in public demonstration in the honour of the other employees.
 12. They must not participate in private trade and business.
 13. They must properly use amenities.
 14. They must use public service with payment.
 15. They must avoid lending and borrowing without the permission of concerned authority.
 16. They must avoid insolvency and indebtedness.
 17. They must not involve in the-- movable and immovable valuable property.
 18. They must avoid vindication of Acts and character of other employees.
 19. They must not canvas in the election.
 20. They must submit representation in their personal capacity to higher authorities.
 21. They must avoid bigamous marriages and acceptance of dowry.
 22. They must avoid the consumption of intoxicating drinks and drugs.

Business Ethics

Ethics is code of value system worked out from human reason and experience. Human actions are determined as right or wrong, good or evil. If any action agrees with these standards it is ethical. If it does not agree, it is unethical. In accordance with these above principles, the business managers will have to follow Business Ethics. The public sector and the private sector will have to observe Code of Conduct. The following are the important ingredients in business ethics⁵:

1. The Business Managers will have to avoid the conflict of interest and peer pressure.
2. Accountability and responsiveness to the public.
3. Concern for value of public assets and funds.
4. Not abusing official position.
5. Concern for stake holders.
6. There must be social responsibility in the management of the business.
7. Effective corporate governance.
8. They must maintain code books of best practices.
9. Business must have socio – economic character.
10. There must be professional commitment.
11. The manager should treat all men with fairness and justice.
12. Treat all individuals with respect and dignity.
13. They must protect the trade secrets.
14. They must not involve in any misappropriation.
15. They must find out remedies available under the act.
16. They must not involve in software piracy.
17. They must look to public good- efficacy- innovation – learning.
18. They must maintain official auditing.

2. CONCLUSION

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many ways. They delivered a wide range of services for the benefit of the people. They must possess higher ethical standard. They are accountable for any departure from the established ethical practice. Hence in Public Sector, Ethics must be understood in activity but not as a statute.

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