



BPYG-171

Block 3

Introduction to Professional Ethics

Block Introduction

Block 3, “Introduction to Professional Ethics” aims to prepare ground for the discussion in the professional field. With the help of the four units this block talks about theoretical as well as practical issues in the field of professional ethics. With the introduction to professional ethics, this block takes some sub-domains of professional ethics, media and cyber ethics, medical ethics and business ethics to show the similar as well as different issues of some sub-domains of professional ethics.

Unit 11 “Introduction to Professional Ethics” tries to explain professionalism, professional ethics, need of being ethical in any profession and different aspects of professional ethics with the help of some examples and instances.

Unit 12 “Media and Cyber Ethics” attempts to explore and analyze ethical issues pertaining to the media; print, television as well as social media. This unit also attempts to explore some of the concerns of cyber-space, which arose after the development of information and communication technologies.

Unit 13 “Medical Ethics” is an attempt to understand ethical issues in the field of medicine and clinical practices. This unit also tries to create a platform for learners to understand the ethical values and norms in the medical field.

Unit 14 “Business Ethics” is an attempt to understand and analyze business ethics? This unit also presents an examination of the vital characteristics of business ethics and discusses unethical business practices with examples and how through codes of business ethics the companies could avoid them.

Thus this block gives learners a good exposition of ethical theories and its applications in the field of professional ethics.

UNIT 11: INTRODUCTION TO PROFESSIONAL ETHICS*

Structure

11.0 Objectives

11.1 Introduction

11.2 Professionalism and Professional ethics

11.3 Why Ethics matters in Profession

11.4 Some Issues

11.4.1 Data Breach

11.4.2 Ethical and Unethical Hacking

11.4.3 Corporate frauds

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11.8 Answers to Check Your Progress

11.0 OBJECTIVES

The objectives of this unit are as follows:

- To understand what is professional ethics.
- To explain what is professionalism.
- To understand the need of being ethical in any profession.

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- To understand and analyze the role of ethical norms, rules and regulations, and how we can maximize the actualization of these codes of conduct to practical situations with the help of examples.

11.1 INTRODUCTION

Ethics is primarily concerned with what one ought to do, along with defining and analysing the concepts of right and wrong. When the setup of ethical norms and practices to consider an act right or wrong is made up on objective grounds, then it is usually considered that what is right, good, or bad for one person; would be right, good, or bad for everyone, irrespective of the conditions or context of any individual, culture, and society. The ideal ethical norms and principles that killing, telling lie, and cheating is wrong, that treating people as a mere means is not right, are applicable on everyone, they can be universalized, or they seek the happiness of maximum human beings. They are not usually confined to any given particular context or perspective. These objective grounds for determining what is good, right, and wrong might not work in some crucial situations where it becomes difficult to decide the rightness or wrongness of an action. Saying this, however, should not be seen as accepting the position of moral relativists, that our moral judgements, notions of truth-falsity, right-wrong are always dependent on context or perspective of a culture. What is right and acceptable in one cultural practice may not be acceptable in another culture. The possibility of accepting universal values would then become negligible. The problem arises when sometimes we find ourselves in such a situation where it becomes so difficult to take a decision in line with the fundamental ethical principles. Ethical dilemmas of real life situations involve much more layers of complexities which make it too hard to resolve these dilemmas based on any single conventional principle. Applied ethics deals with these real life situations where we try to find out the moral possibility/permissibility of specific acts. It seems to be an important requirement to consider the conditions and circumstances in which an action has been performed or about to be performed before taking any decision about the rightness or wrongness of that action. It demands to think and reflect upon the whole situation. The issues and debates of applied ethics demand a critical analysis, and an evaluation of our conventional moral principles. Morality should not be considered as a preachment and lessons to live an ideal life. Being an integral element of philosophy, there always remains a scope to reason, to think, to critically analyse and examine the customary and traditional set of principles, to question the eternal nature of these principles. This is how we move towards

the path of reflective morality in order to test the effectiveness of the established moral rules in a particular situation, whenever it is required. Reflective morality does not reject the conventional moral principles, it only helps in reaching to a better decision by presenting such an approach that either adds some novel element or subtracts the unnecessary element to resolve a particular issue.

Suppose, for example, a person who works as an accountant in a big private firm, his father gets seriously ill and has to be hospitalized. He requires bulk amount of money for his father's operation. His boss is very strict and he believes that if he would ask for money, his boss would never give him. That is why he took the money from company's account without informing his boss in order to save the life of his father. He saves his father's life, and gradually with time he kept all the money back into the accounts of the company. Now the question is how we would determine the rightness or wrongness of the act performed. The person was in an ethical dilemma, we all are know that stealing money cannot be said a morally right action, but at that time saving someone's life was the most important and primary act, the means he selected was obviously not a professionally right one, but he did it under unavoidable circumstances where he did not have any other available option for saving life of his father. Keeping the whole situation in mind we may ask what action his boss would take now, should he punish his employee for not informing him, or for not taking permission before taking the money? The answer could not simply be given in affirmative or negative terms as it requires reflecting upon the criticality of the whole situation. In situations like these the need arises to think in a different direction and it also requires careful, critical examination of the customary moral principles.

Based on the varieties of concepts and nature of the problem, ethics is being sub-divided in some main approaches like normative ethics, metaethics, and applied ethics. Professional ethics comes under applied ethics wherein we attempt to resolve the realistic issues such as conflict of interests in a profession, doctor-patient relationship, surrogacy, abortion, environmental issues, suicide, euthanasia, capital punishment etc. with the help of ethical principles. Professional ethics falls into the domain of applied ethics because it is concerned with rules, regulations, and norms to be followed in any profession, and these rules ultimately falls back on the concept of what is good, right, and appropriate.

11.2 PROFESSIONALISM AND PROFESSIONAL ETHICS

The term professionalism stands for the way one performs his/her actions in a profession. This way may include a bundle of things in itself, the practices, the standards, the values, skills, education, and training. Professionalism requires mastery over the theoretical knowledge, but only theoretical competence is not enough, a professional should be able to implement the theory into practice.

Professional ethics, as the name suggests, defines and codifies certain ethical norms necessary for all professions. We find codes of conduct and the codes of ethics in professions. The codes of conduct may vary according to different professions, e.g. engineers will be having different codes of conducts from those of medical associations, but we will find same guiding moral principles in every profession. These moral principles govern the behaviour of a professional in ethical decision-making, specifically in a situation of ethical dilemmas. An organisation/institution/company is committed to certain values and it includes ethical responsibilities of a profession. Transparency, impartialness, openness, and loyalty are few desirable characteristic traits of a professional.*

Let us take one example which highlights the unprofessional behaviour of a company. Some cases of raid and arrest of call centers employees were registered in a country. The charge was that the employees used to extort money from foreign nationals. A large amount of money has been taken away from citizens of other countries by these call centers. These call centers appointed young people for this work, trained them to speak foreign language. These employees used to call people of other countries, threaten them and force them to pay millions of dollars. Despite continuous complaints, no action was taken against these fraudulent call centers. Firstly, these types of acts lead us to think how young generation can easily be provoked by the call centers to involve in these unlawful activities only to gain large amount of money by keeping all the values of honesty, dignity and respect aside. Secondly the unprofessional attitude of the call center put down the reputation and image of all other call centers of that country as well, and thirdly the inaction and unprofessionalism showed at the level of the country also affects the relation of two countries.

These unethical acts always involve a risk - risk of losing the job, risk of being caught and arrested, and risk of losing self-respect. Despite being aware of the risk factors involved in these unethical acts, what is the guiding factor that encourages people to perform these kinds of acts, why money-factor, the accumulation of money for personal gains stands over and

*Subramanian. R. *Professional Ethics includes Human Values*, Oxford University Press, 2017. P. 9.

above all moral values and the respect for one's own and other's life? Undoubtedly these offers may seem tempting at first sight, but neither the intention of doing these acts nor can the outcome be said to be good or right for anyone involved in the act. These kinds of cases are a matter of concern for everyone, these incidents usually come and go without much attention of people as if we come across these cases daily and we are habitual and used to hearing these incidents as bits of information only. The problem is much deeper than it seems to be, one should not take these issues very lightly and ignore them. If these incidents often happen, it does not mean that more frequency of their occurrences reduces the gravity of the issue, how can it make the issue ignorable? On the other hand, the gravity of the issue must be increased when all the moral values, laws, rules, and codes of conduct fail to stop or at least reduce the frequency of these illegal acts, and lead us all to think on reasons of failure to control such actions.

11.3 WHY ETHICS MATTERS IN PROFESSION?

A Profession always stands in relation to the other, a professional always seeks for good professional relations, a bonding with the other is required for the survival, and progress of a profession, for example bonding between patient and doctor, between a lawyer and his/her client. What is the nature of this bonding, what binds a professional with the other? To maintain this professional relation, we devise certain rules. There are certain codes of conduct and codes of ethics in every workplace. In a workplace, the nature of codes of conduct depends on the type of institution/organization, and they may vary from profession to profession. The codes of conduct are not morally binding in nature, codes of conduct in a profession state kind of actions that are either permitted or prohibited for a professional, these actions are directional in nature; codes of ethics, on the other hand, are statements of value, or guiding principles needed to guide the behaviour of the professionals. The canvas of the codes of ethics is much broader than the codes of conduct. Codes of ethics are the guiding principles that guide professionals to work with honesty, without discrimination, and they are aimed towards public good. These codes of ethics help an organization resolve the situations of ethical dilemma and in decision making; in issues like conflict of interests, safety, and harassment in a workplace. The moral values in all professions are of the same nature, but the decision that is taken in a particular situation in different professions would depend on considering the context, complexities and nitty-gritty of that situation. In medical profession, the ultimate objective of a doctor is to save the life of the patient. But doctors do transcend

and think beyond this highest goal in the cases of Euthanasia, where we see a conflict of moral values, of saving life of patient, or to release all the pain and sufferings of the patient. The conflict of values gives rise to ethical dilemmas. The understanding of the need and importance of these ethical principles gradually broadens with the broadening of our canvas of understanding, development of our cognitive faculty of thinking and reflecting. This developing stage is the one where one can question the need, use and benefits of a particular norm for an individual, for a society or for a profession.

The question that becomes difficult to answer is that despite having all the mandatory rules and necessary ethical codes, why we meet up with unethical conduct in professional set up of any company/organization/institution. Every profession demands that work must be done with honesty and integrity, that is the reason certain norms become necessary to be maintained and followed for good governance, for smooth functioning of the profession at the level of the organization as a whole and also at the level of their employees as individual human beings. Every organization should adhere to some norms, codes of conduct, and set of guidelines to regulate the organization in a proper manner and evaluate the conduct of their employees. The formation of rules and codes of conduct consist of multiple layers, various aspectual elements. These multiple layers may include:

- The organization should work for the welfare of the society, thus any act that is not acceptable in the society would be prohibited by the organization.
- The formation of rules should also take into account zero or lesser amount of harm to the environment by any kind of activity.
- The formation of rules should not go against the good of their employees.
- The respect and dignity of each individual who is using the service of any organization should be the top most priority of all professions.

The unethical behaviour in any profession results when the above said conditions will not be met, that is, when it would cause harm to the environment, to the society, to the users, to the employees; and by bypassing all these above mentioned goals, if the organization would contemplate only in making personal profits. Thus certain sets of codes and principles are required in order to distinguish between right and wrong, to establish the values and goals of an organization. We will discuss some issues in the next section that can be termed as

unprofessional practices that are impediments for the development of an individual, of a profession, of the society, and of the nation as well.

Check Your Progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What do you understand by 'Professionalism and Professional Ethics'?

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2. What is the role of reflective morality in Applied Ethics?

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11.4 CASE STUDIES

11.4.1 Data Breach

We are living in multiple worlds, one is the actual world which is out there for us, and another is the world of virtual reality which we have created for ourselves. In a virtual world, users provide all their information in order to avail the services provided by a particular platform. The moment we allow that platform to access all the information which is needed before login, it means that we trust that platform to be genuine. Along with the benefits we get from availing their services, our privacy always remains at risk. Despite the promises every company makes with the users, we experience the problem of data breach. What should be the ethical obligations and legal responsibilities to prevent these incidents and make the network more and more strong and secure?

The breach of data is, we can say, the breach of trust. All companies make a bond with their users by promising to provide values like accountability, cooperation, privacy and trust. We often come across the news of data breach; various companies, industries, and organizations suffer from the breach of data. Despite claims of providing the service with all these values, what causes the failure of all these values? The moral duty and responsibility in any profession demands the appropriateness of rules which is equivalent to their strict liability, but the problem is, we often experience a gap between what is being written as standard norms; and what is being followed on practical grounds. Talks about liability and accountability then seem redundant. The breach of data may happen in various ways. Some of these are:

- Making private information public.
- Leaking of information like email addresses, and phone numbers.
- Hackers hack the computer network, the system with the help of malware in order to get access to confidential information.

One weak point that makes it easier for the hackers to leak the data can be said the lack of knowledge of the users. The users allow access without knowing the cons of it, as a consequence they risk their privacy and security. But, even if the users remain at the vulnerable position due to lack of information; industries/organizations/companies must have the moral responsibility to take precautionary steps to keep the data of the user safe. The behaviour of companies has always been reactionary rather than precautionary. As a reaction the companies only inform their consumers about such incidents of breach, and that too can be delayed. Hacking is an illegal act. There are no set standards for these unethical issues in the cyber world which a professional ought to follow. There are only some guidelines that were created in 1992 as the ten commandments of computer ethics; but those do not match with today's scenario because these are quite vague in nature.

WikiLeaks is one such organization that has been known to release the documents to unveil many illegal acts. It has become a medium for many people to express their voices and uncover the questionable acts of the governments. However the sources from which these documents are obtained has always been in question.

Let us take one example of data breach here. The data of millions of users of several countries was leaked from a social networking site. This data included personal information of users like contact numbers, user id, date of birth, information of workplace and email addresses as well. All the data was published by a hacking forum on the dark web. The company denied that no such action is performed from our end, the data was old and already available publicly on the site so the data was scraped from there only. This data can be misused to make fraud calls, send spam emails, for phishing, and in many other kinds of frauds. Once again as a reaction, only after the data was leaked the company said that we will try to strengthen our security systems. The question is why no precautionary measures were taken by such a huge social networking site? Why the security was so weak that risked privacy of the users, as a result it made people lose their trust in that one particular company and made people skeptical in using other similar networking sites as well.

11.4.2 Ethical and Unethical Hacking

Ethical hacking is conducted in order to check the security of the computer systems. It is conducted by experts of the company. The aim of ethical hacking is to improve the level of security and access the vulnerability of the computer systems. Ethical hacking becomes a necessary exercise to keep the computer systems free of malwares by suggesting improvements and increasing security time to time.

Illegal or unethical hacking is not conducted with the permission of the company. The purpose of this hacking is to steal information and data. One cannot deny that both kinds of hacking require expertise in terms of the knowledge, in illegal hacking the hackers misuse their knowledge to perform a criminal act. This unethical hacking can be done for personal gains, or just for fun, to see the communication of people, to disclose the communication of other people; or one can do it for business, stealing and selling the data.

11.4.3 Corporate Frauds

This example is related to the corporate world. Corporate frauds are unethical acts performed by the company or any employee of the company. Let us suppose a fraud is done by a corporate company of computer service. The founder of this company creates several bank statements to inflate the profits and revenue that did not exist. This process of showing fake profits lasts for nine years. This fraud case also includes creating fake customers accounts to show the profits. The founder of the company maintains the record of fake employees and

withdraw large amount of money in the name of salary of the employees that did not exist at all, and the number of these fake employees are in thousands. The benefit of all this is shown in the increase in share prices of the company. This kind of fraud is an example of a big scam in the corporate world that can be termed an ethical crisis. As an effect it will badly affect the share market and audit firms. It also serves as a warning to the investors who invest money in any company without investigating much about the company.

These kinds of scam are clear example of conspiracy, forgery, and breach of trust that puts a question mark on the whole ethics of professionalism. It will also raise question on the disastrous system of accounting and accounting norms of a country. The increasing numbers of such frauds highlights the application of ethical codes and values and make us think again and again about our blind dependency on such professions. These crimes not only damage the image of the company but put down the image of the country as well. However government understands his responsibility and plays his role as it takes some strict actions to control such big frauds by introducing acts like Companies act in which strict rules are introduced to govern the corporate companies.

The concept of corporate social responsibility (CSR) is devised for business. This term mainly refers to the policies that make business more accountable and more responsible towards the society about the moral responsibility in any business. CSR makes a company work in the direction of enhancement of the society and environment. It is a concerned effort of companies to set moral standards. Companies implement the policies and practices created under CSR in order to influence the world in a positive manner and set a good image of the company. We can observe the impact of CSR in multi-directions. Various companies do think about improving the environment sustainability by taking steps such as implementing renewable energy resources, minimizing or eradicating child labor because it gives rise to unethical practices.

It is not to deny that in every profession, and in the corporate world we find certain set of norms and principles to run the profession smoothly and free of any obstacle. These codes of conduct can be traced back to the amalgamation of the fundamental principles of ethics which are named as the utilitarian principle of Mill and Bentham, or the non-consequentialism or deontological ethics of Immanuel Kant, or the virtue based ethics of Aristotle. The codes of conduct based on these principles generally include the following statements:

- One should always keep public good in mind.
- One should not use the knowledge and expertise to any kind of illegal gains.
- One should be courageous enough to fight against the corrupt elements in the system.
- One should be acquainted with the rights of a professional and should be able to exercise those rights.
- One should work for the betterment of the company and of the society on the larger level.*

All these codes are devised keeping in mind the concepts of honesty, loyalty, thinking of maximizing the betterment for all, to do the right thing and avoid the wrong, raising voice against the wrong acts. The crucial question is why there still exists a huge gap between what is conceptually accepted in all professions and what is practically implied. Why the adherence of virtues like truth, honesty, courage, temperance, modesty, righteousness, patience has become so difficult in our life? Where does the fault lie, in the individual, or in the structure of the society that the society trains every individual in such a way that everyone thinks only about his/her own benefits at the cost of harming other human beings, animals and environment. Why human beings have become so incapable of thinking over and above their personal gains? Why we are moving towards a human-centric, individual-centric world day by day, without any concern for the future generations, and for other species. We may always claim that there is no harm in thinking about and to act for personal gains that is how we will be able to secure the future of our next generations, but it can never allow us to use improper, illegal or unethical means to achieve those gains. It should not be exercised at the cost of harming others, or cheating others, or by doing any other act which cannot be called right on the ethical grounds; and which is not acceptable in the society.

Our ethical conducts are based on the values we acquire from different sources. In recent times a kind of decay has been observed in the value system of the society, we see many instances in our daily life where the declining of values can be observed clearly, e.g. not respecting elders, not following rules, and careless behaviour etc. That is the reason why more emphasis is being given on imparting value education as an essential element to students in schools and colleges because it has become the need of time. The nature of this

* Subramanian. R. (2017). Professional Ethics includes Human Values, Oxford University Press. P. 230.

value education should not be static, it should be dynamic enough so that it can give the freedom to think about other possibilities as well.

Whenever we talk about any ethical principle, we always speak in terms of the relation between self and the other. The very domain of ethics, the ethical space cannot exist in isolation. The notions of duty, right, responsibility all presuppose the notion of other because all these notions lie in the ethical space where without the idea of relation these terms will become meaningless. This other can be a human being, a group of people, any organization/company, or any other species or environment. The relation is obvious in any sub-category of ethics; professional ethics, too, functions on the notion of the relation between self and the other otherwise it will make no sense to talk about ethics in profession or in any other domain of ethics.

Check Your Progress II

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What is the difference between Ethical and Unethical hacking?

2. What is the role of the relation of self and the other in professional ethics?

11.5 LET US SUM UP

Professional ethics is an essential element for every profession. It provides certain codes of conduct for proper functioning of a profession. Apart from learning skills and acquiring practical training, ethical behaviour is equally necessary in every profession. Ethics in any profession is important in order to prevent the society from unethical and illegal activities like data breach and corporate frauds. The ethical codes and rules help a profession maintain a healthy image and this good image strengthens the profession. The ethical codes are based on the conventional ethical principles but the domain of applied ethics makes us think on these principles in a new way when we deal with any issue related to applied ethics. Different issues of different domains of applied ethics demand to think critically and reflectively considering the whole situation. Apart from reflective thinking on the problem, the codes of conduct of professional ethics will be actualized only after we will be able to understand the relatedness of self with the other. An ethical agent will always demand a coherent relation of self and other.

11.6 KEY WORDS

Professionalism: It is defined as the way one performs actions in profession. It includes practices, standards, values, skills, education, and training.

Professional Ethics: Professional ethics depicts and codifies certain ethical norms necessary for a specific profession. These norms may vary according to the type of profession, for example engineers possess different set of codes of conducts from those of medical associations.

Data Breach: When a company or any employee of the company attempts to leak the information and tries to make that information of the user of that company public then it is called breach of data.

11.7 FURTHER READINGS AND REFERENCES

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- <https://iep.utm.edu/ap-ethic/#H1>

11.8 ANSWERS TO CHECK YOUR PROGRESS

Check your progress I

1. The term professionalism stands for the way one performs actions in a profession. This way may include a bundle of things in itself, the practices, the standards, the values, skills, education, and training. A carpenter possesses good skills to do his job, but he has not taken any professional training to become a carpenter, so carpentry will be called a trade and not a profession. Professionalism requires mastery over the theoretical knowledge, but having only theoretical competence is not enough, a professional should be able to implement the theory into practice. Professional ethics codifies certain ethical norms necessary for a specific profession. These norms may vary according to different professions, like engineers will be having different codes of conducts from those of medical associations. We can say that more or less these norms are aimed towards the welfare of the common people, and the society.
2. Reflective morality does not deny principles of conventional morality but the ethical dilemmas of real life situations involve much more layers of complexities that make it too hard to resolve these dilemmas based on any single conventional principle. Applied ethics deals with these real life situations where we try to find out the moral permissibility of specific acts. It seems to be an important requirement to consider the conditions and circumstances in which an action has been performed or about to be performed before taking any decision about the rightness or wrongness of that action. It demands to think and reflect upon the whole situation. The issues and debates of applied ethics every time demand a critical analysis, and evaluation of our conventional moral principles. Being an integral element of philosophy, there always

remains a scope to reason, to think, to critically analyse and examine the customary and traditional set of principles, to question the eternal nature of these principles. This is how we move towards the path of reflective morality in order to test the effectiveness of the established moral rules, whenever it is required. Reflective morality only helps by presenting a better approach by adding some novel element or by subtracting the unnecessary element to resolve a particular issue.

Answer to check your progress II

1. Ethical hacking is conducted in order to check the security of the computer systems. It is conducted by experts of the company. The aim of ethical hacking is to improve the level of security and access the vulnerability of the computer systems. The purpose of it is to suggest improvement in the system and to increase the level of security. Unethical hacking is not conducted with the permission of the company. The purpose of this hacking is to steal information and data. This unethical hacking can be done for personal gains, or just for fun, to see the communication of people, to disclose the communication of other people; or one can do it for business, stealing and selling the data.
2. Any ethical principle or any sub-domain of ethics presupposes the relation between self and the other. The very sphere of ethics, the ethical space cannot exist in isolation. The notions of duty, right, responsibility all presuppose the notion of other because all these notions lie in the ethical space wherein without the idea of relation these terms will become meaningless. The codes of professional ethics will also become empty without considering this relation, transparency in work, work for the welfare of the organization, for the welfare of the society, all these includes the notion of other. This other can be a human being, a group of people, any organization/company, or any other species or environment.

UNIT 12 MEDIA AND CYBER ETHICS*

Structure

12.0 Objective

12.1 Introduction

12.2 Ethical issues in Media and Cyberspace

12.3 Ethical Issues in Print Media

12.4 Ethical Issues in Electronic (television) Media

12.5 Ethical Issues in Cyberspace

12.6 Media, Justice and Society

12.7 Freedom of Press, Censorship and Laws

12.8 Let Us Sum up

12.9 Key Words

12.10 Further Readings and References

12.11 Answers to Check Your Progress

12.0 OBJECTIVES

This unit attempts to,

- explore all the fundamental ethical issues and debates pertaining to the media.
- explore the emerging concerns of cyber-space, which arose after the development of information and communication technologies (ICTs).

12.1 INTRODUCTION

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The term 'Media' has always been considered in a broader context and conceptual landscape. It includes newspapers, television, advertising, radio, telephone, magazine and internet. (Unit has considered the concept of 'media' in a far broader context instead of confining it to the conventional understanding of media.) Media is a major source to generate, sustain and disseminate information and knowledge, hence, it is conceived as a vital instrument to inform and educate people. It is a substantial epistemic unit of knowledge. It, therefore, has to play a critical function. It must neither peddle the propaganda nor work as a publicity machinery for government and corporate organisations. Humans, historically, have had started from print media, due to the upsurge of technological age, a unique and peculiar kind of media in the form of cyber and digital media came into effect. Quite recently in human history, we are considerably exposed to the abundance of information at an accelerating pace. It empirically becomes explicit; media has taken a leap into the digital world, which fundamentally differs from traditional print and electronic media. Digital media disseminates information more rapidly than any other forms of earlier media developed so far. It is easily accessible, cost-friendly and substantially reduces the distance of the world. It has changed the notion of space and time.

Media, irrefutably, has become a major and dominating source of our information. It, however, cannot be beyond ethical questioning. We must develop certain codes, principles, and rules to steer it in the right direction to actualise its real function of promoting accurate information to advance well-being in the society. It demands ethical investigation to bring authenticity, transparency and accountability. This chapter partly explores the nature and theories of media; however, it mainly caters to the normative accounts of media.

Media plays a key function of making people informed so that they can make more sound and rational decisions. Media persons shall not be neutral all the time, because sometimes an idea and opinion is innately irrational and rudimentary, therefore deserve to be ignored and rejected. Role of the media is not limited to just presenting the facts without locating them in a context to meaningfully inform people. Graham (1998, p. 162) argues "the purpose of serious news reports in the newspapers and on radio and television is not merely to recount what has happened, but to report events in a way that uncovers and explains their political, social and cultural significance."

Media has largely been discussed in the libertarian framework as a fourth pillar of democracy. It has certain liberties and justified duties to perform. Liberal framework in the

media aspires to hold the government accountable by substantially diminishing the intervention of government in all walks of life. More so, it does not allow the government to exercise authority to curtail the rights of people. Therefore, it speaks for autonomy, integrity, freedom to express and people's right to know. Human dignity and integrity have always been known to be unabated universal ethical values in libertarian framework of the media.

Media ethics attempts to address the ethical concerns encountered in the entire process and functioning of the media. In sum, much of what is discussed within media ethics is a debate on the function of the press and how best it can achieve this (Berry, 2008, p. 77). It is relatively a new discipline and pertains to a normative account of media, rather than limiting it to a descriptive one.

Media ethics is an applied area of ethics. Hence, we must see the application of basic ethical principles in practice. Being an applied discipline, it has huge social responsibility towards the society's welfare and well-being. There are a range of thinkers and ethicists, who have significantly pondered pressing ethical concerns in the media.

We as philosophers are in the pursuit of knowledge and wisdom. Ancient Greek philosopher Socrates (470 – 399 B.C.) brought ethics at the centre of human conduct. That was a remarkable shift from the natural philosophy of the pre-Socratic philosophers. For him, how to live a good, meaningful and worthy life was the major philosophical concern. Same concern could also be extended to the space of media, to understand what is required to advance the just and meaningful media. It is not the mere existence of the media is admired rather the values driven media is revered in any enlightened society.

Check Your Progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What is media ethics?

12.2 ETHICS OF MEDIA AND CYBERSPACE

Media ethics is a vast subject of study. From choosing a topic for journalistic endeavour to production of news to sharing/dissemination of news involves some pressing ethical concerns. Media people/communicators have to deal with the ethical concerns at every stage of content generation/story. Recently mass media has become a highly admired profession; therefore, the pertinent issues encountered by the media professionals invariably vary in nature. Incorporation of ethics in the entire functioning of media professionals can further advance authenticity, truthfulness, transparency and integrity. Media ethics is vital to give moral judgement about what piece of information is to be shared and or not. Merrill (1999, p. 5) says “Media ethics is a branch of philosophy seeking to help journalists and other media people determine how to behave in their work. In its practical application, it is very much a normative science of conduct, with conduct considered primarily self-determined, rational, and voluntary.”

On the other hand, Cyber ethics covers a wide range of issues that includes copyright, financial frauds, spam, patent protection, digital identities, digital self, online piracy, cyber theft, cyber threats, anonymity, explicit pornography, hate speech and getting the material downloaded from some unregistered sites bypassing the owner of the content. Oxford philosopher Luciano Floridi persuasively identifies the ethical problem of ‘entropy’ in the entire information sphere/infosphere. Information sphere is equivalent to cyberspace.

Kieran (1998, p. 3) argues “Whenever we are offered information, whether by newspapers, television, the Internet or any other source, we have no option but to use our everyday intelligence to assess it for reliability. This applies as much to a depiction as to a word or written text.”

12.3 ETHICAL ISSUES IN PRINT MEDIA

Print media conventionally known to be one of the most strongest and reliable means of communication. However, this may not remain true to this information age. Economic prospects in the media may stop authenticity and truth from becoming the main driver of its

functioning. Journalists who write the stories have to be transparent, objective and unbiased as professionals. They must take permission before getting the details of a person published in a story, exempting the cases of exposing corruption, duplicity and fraud.

Most of the journalists in print media to develop fresh and original stories/news do rely heavily on 'sources' whether the individuals, politicians, social activists, bureaucrats, lawyers, corporate leaders, office staff and many others personal reliable individuals to receive the knowledge. A considerable distance, nonetheless, must always be maintained from them to not let your stories be deflected by your emotional and friendly bond with them. Failure to do so may result in compromise on truth, honesty, impartiality and public interest, which are known as indubitable values of the media. It is important to produce a story, which in turn, empowers people and imparts right information to establish a well informed and knowledgeable society. Integrity and privacy of the other person must not be compromised during the generation and publication of a story to avoid tabloidization and sensational stories. Journalist ethics shall not permit them to present opinions and fictional stories under the garb of news.

The process of deciding to do a story, selecting what will be used, and expressing this material all impinge on ethics and affect the moral character of the media person (Merrill, 1999, p. 1). Print media has an active social role to play to provide truthful and authentic news. Mere existence of the media will not produce any good and meaning for us, as long as ethical standards are not exhibited in its practice. Ideological bias can stop the journalistic values like honesty and truth from taking the lead in the media.

Journalists have to fairly ask inconvenient questions to eliminate the social evils like caste system, religion, gender and sex based discrimination at every level, even within the institution of media. They shall not distort and misreport the fact intentionally; it may lead to disturbance and severe communal tension in the society. For example: A fake news by distorting facts and figures is promoted by person A belonging to a certain religion X, hurling abuses and dishonouring the other religion, however the fact of the matter is, Person A was drunk, broken and under the influence of alcohol and drugs behaving immorally, not intentionally. He was not in a normal and rational state of mind.

Responsibility of the ethical media is to present the news of person A by informing all the relevant facts about the concerned news, by ignoring the later part of Person A's story and

highlighting the fact that Person A was abusing the other religion X. Hiding of all relevant facts in a story/news can result in severe negative consequences for the society, it may most likely trigger tension and disharmony. This would be considered a case of unethical reporting in the print media.

Check Your Progress II

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What key issues are to be ethically taken care of by the journalists in any story of print media?

12.4 ETHICAL ISSUES IN ELECTRONIC (TELEVISION) MEDIA

Other than print media, people do heavily rely upon the electronic media to receive information about regional, state, national and international affairs. News travels faster in electronic media, whereas in print the medium speed of news is relatively slower. Electronic media could effectively reach out to those people who cannot read and write; therefore, spread as a more impactful medium of mass communication. Its audio-visual nature could cement it as a major tool to reach out to ordinary people. It, however, also brought considerable bias and manipulation of content, which partly resulted into the propaganda machinery for government, bureaucracy, and big business houses. People started to question its transparency and commitment to the larger cause of society. Corporate and big industrialists have seen a huge market in the media sector. As a result they have invested huge money to capitalise the noble field of journalism to develop it into a profit making industry. A moral trait is not innate and natural in humans as considered by Greek philosopher Aristotle. He effectively argued humans are capable of developing moral attitude

with constant habit of doing it rightly. If media does not deviate from the true ethical principles for a longer time, more often as a result, values would get easily be internalised in its organisational structure.

What is to be covered, broadcasted and illustrated through audio-visual graphics is a central part of major ethical concerns in electronic media. Electronic media also covers a great deal of ethical issues such as obscenity, vulgarity, casteism, racism, hate-mongering, explicit pornography, secrecy, privacy and homophobia. Sensationalism with the help of graphics can stop the true, authentic and meaningful stories from coming into existence. This, severely, undermines the people's right to know the truth.

Journalists are meant to provide the true information and to keep check on the political, social and economic structure of the society. They must always refrain from slandering people without trial because of their tilted ideological bias and favouritism. They have a huge responsibility of being the true conscience of the society to advance a just and egalitarian society. They are not legislators, executives and judicial authorities. If they resort to such activities, they can be termed as unethical.

Biased information telecasted by electronic media reached the masses, as a result an individual's integrity, modesty and privacy has to be extremely compromised. Such acts of media are counted unethical and unjust, hence, to be disapproved. Media must refrain from 'fake news' generation to gain monetary and political benefits with ulterior motives to please corporate giants and owner of media, who aspire to generate maximum monetary outcomes at the cost of truthful and transparent media.

A credible and responsible media does not deliver judgement before verifying and confirming the facts authentically as long as these are attested by official and credible record. Psychiatrists and media personnel can keep the secrecy of their 'sources' of information. However, in the democratic setup the media should not hide information to safeguard the government by violating the public's interest. Hacking, though widely regarded unethical, is also used as an ethical measure to expose the unjust practices. For example, in the early first decade of 21th century, founder of Wikileaks Julian Assange started to expose and reveal hidden information of public interest related politicians, big businesses and the government across the world, notably; it was used as a tool of activism to bring transparency, a large section of the media considered it ethical. Had Wikileaks exposed the personal data of

citizens by undermining the ‘right to privacy’ of people, it would have been naturally considered immoral for leaking the private information.

As the large part of the world, at the policy level, is shifting from socialist and welfare states to capitalist states. At the outset, we can’t afford to completely dismiss the introduction of corporate led media, the point is to convert it into value based and people centric media. Initially, there was no effective regulatory framework to make the media more accountable. Due to regular misuse, people are demanding to generate a more robust legal and ethical framework for media.

12.4.1 Political Agenda and Paid News

Political propaganda and paid news are telecasted without much clarification to gain the monetary benefits and to deceive the audience. This is done by politicians to win elections by manipulating the content, big business to establish the good reputation of the product, private companies to give false hope to people. It is subtly done and carried forward as news. Elections are the best times to manipulate the consent of people by presenting news in support of a particular party, its leaders and policies by projecting it as authentic and truthful news. It is done at the cost of the media's integrity and revered ‘fourth estate’ of any democracy. Advancement of such practices has a severe adverse impact on the health of the society and democracy in general. It conceals the true information from people and stops them from forming sound opinions about a particular subject, party and policy. Consumption of the tilted news will make the society weaker and hollow.

It becomes more problematic in a society where a large section of the people is unable to read and write. They believe ‘pain news’ to be as they lack the intellectual capacity to identify obnoxious and tilted news. On the contrary, in a society where more people are educated, there is a far greater chance that people may be able to locate the fake news to a considerable extent. An aware civil society can only be assumed where the majority of people are educated and learned, in such a setup, fake news and paid news will not flourish and circulation would be comparatively lesser. A pioneer of philosophy of technology, Andrew Feenberg (1999) argues for the democratisation of technology. ICTs generated cyberspace must be democratised to actually serve the cause of the people and to incorporate the diversity in the entire gleaning architecture of media. As McNair (1998, p. 49) puts it, “free from the gaze of

electronic media, politicians and other elite groups could pursue their business relatively free from journalistic intrusion.”

Check Your Progress III

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What kinds of major ethical issues to be followed in electronic media? Explain

12.5 ETHICAL ISSUES IN CYBERSPACE

In the technology driven age, the quantity of information has been piled up in the information society/infosphere. Discussion pertaining to the issues of quality and health of information has been side-lined to a great extent. Not long ago, cyber space in an earlier growing phase had offered space for conversation and meaningful information sharing; mere growth of the internet with minimal normative codes generated the scope for business enterprises to make hefty money that, in turn, started to pollute the quality of content. We have been exposed to more content/information in the entire human history. Quality of content, however, has been considerably compromised in cyberspace.

The Internet has become the major driver of our lives. It has become an intrinsic part of our quotidian existence and impacts our reception of news, music, sports, groceries, meeting places, paying of bills, relationships, travel tickets. Google Maps has been incorporated to find out ways and destinations as an extra reliable mechanism. Everything could be done by sitting at home without going into the physical world. Digital cyber space has secured its separate existence. Lessig (2006, p. 83) maintains “Cyberspace, by contrast, is not just about making life easier. It is about making life different, or perhaps better. It is about making a different (or second) life. It evokes, or calls to life, ways of interacting that were not possible before.”

Digital shift of the world has immensely altered the world. A galaxy of thinkers attempted to characterise and interpret newly emerged paradigm by giving different names such as ‘Consumer Society’, ‘Surveillance Society’, ‘Networked Society’, ‘Technological Society’, ‘Information Society’, ‘Post-Industrial Society’, ‘Media Age’, ‘Cyber Society’, ‘Knowledge Society’, ‘Borderless Society’ and ‘Post-Capitalist society.’ We can pragmatically decide to choose any appropriate word to refer to the new society.

Cyberspace transcends the physical boundaries. It carries a trans-national character and changed the traditional understanding of space and time. For example, #BlackLivesMatter movement received global attention and people started to express solidarity with the movement in different parts of the world with the help of cyberspace. A regional issue of racial discrimination can become an international issue with the power of new digital media. A government, despite having some legislation, can't limit an issue to a local level anymore to protect its fake image, practices and policies. Cyberspace, to a great degree, promotes transparency and global response to end innately evil and discriminatory practices, which was a major missing point even in the heyday of print and electronic media. This naturally generates the scope for global ethical principles in cyberspace due to irrelevance of regional and multi-national ethical conducts. But, the internet's potential ethical threat can't be completely undermined. All the nations must collectively work to develop some ethical regulations and codes for the advancement of cyberspace. It can no longer be addressed by countries separately.

Our focus is to understand ethical issues of cyber society/age. Ethics is about our moral conduct and behaviour in real life to flourish the well-being of each other in the society. We must extend this to cyber space to understand the ethical underpinnings of the same. In cyberspace hacking, piracy, copyright is unethical as these negative values snatch away the right of the owner to use and market the content, she has decided herself to utilise. A notable ethical philosopher of cyberspace Lawrence Lessig (2006) has identified law, code, norms and market as four major factors to develop the ethical discourse of cyberspace.

In a restructured state of current media, according to Shakuntala Das (2011) “local” will remain the defining feature of global ethical principle, she uses the term “glocal” as an epistemic category to understate the new world order and nature of the media. Global and local are not contradictory rather complementary to each other in new space. Global space of

media must be socially responsible to foster integrity, human dignity, impartiality, and respect to culture as a unit, non-violence and truth.

In cyberspace, the issue of misinformation, disinformation and fake news has emerged as a serious subject that needs to be discussed and reflected. The rampant misuse to tarnish the image of an individual, group of individuals, community, sect and institution has become a severely crucial subject in cyber-ethics. Hate speech, trolling, bullying, threats, anonymous identities, and provocation of violence are felicitated in cyberspace. 'Net Neutrality' and 'accessibility' of cyber space to all is a primitive requirement to the growth of a just and egalitarian society.

Spinello (2021) argues that net's code supports and protects a highly libertarian ethos that gives primacy to the individual speaker/user. Despite the fact that an individual is the central point of libertarianism, it shall not promote violence, hate speech and child pornography. A selective approach shall not be adopted to target people during the execution and implementation of the laws; otherwise the whole purpose of ethical codes and conducts becomes hollow and meaningless.

Freedom of speech shall not be weaponized to peddle unethical practices and corporate interest. A new trend is witnessed on various platforms of social media, under the garb of free speech people hurl abuses and use derogatory language against a person, group, community, caste, creed, culture and religion. This counts as the sheer misuse and misunderstanding of the free speech, this must certainly be penalised. It is only the legitimate criticism under the right to freedom of speech shall be justified within the boundaries of civility. Otherwise hate speech will soon be defined as a valid ethical practice and defined as an integral part of the freedom of speech. This will give rise to conflicts and uncivilised society based upon the traits of the barbaric and inhuman society.

Even online games which promotes violence as norm, discriminatory towards a sex, gender, community and country and projects them in a poor light shall be disallowed and dealt with a legal framework. Intellectual property rights and patents of anybody must not be honoured because they are the product of extensive intellectual labour, whether the original creation of a music piece, creative art works, books, articles and original ideas. It is the moral responsibility of users to give adequate respect and monetary benefits to owners of the content.

Check Your Progress IV

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Write a short note on key ethical principles of cyberspace.

12.6 MEDIA, JUSTICE AND SOCIETY

If the media is to be a part of the democratic process because of their role in the origination and circulation of information and opinion, then the quality of that information and opinion is going to be a vital issue (Belsey, 1998, p. 10).

In the global age of media we can't ignore the notion of justice from the discourse of media ethics. Philosopher John Rawls (1921–2002) says 'justice is the first virtue of social institutions.' Media is a social institution and justice must become the defining feature of media and cyberspace, this will allow media to emerge as an effective tool to transform the society. Fairness is the key component of justice. If a report is not fair in terms of facts and social truth then it will never serve the fairness principle of justice. Diversity at all stages of media must be maintained in terms of generating stories to include concerns and problems of the voiceless with more focus on marginal and vulnerable communities.

Whatever the differences of opinions within the broad scope of media ethics, all engage with liberalism, the idea of the fourth estate, and therefore the meaning of news and journalism and their relationship with democracy and society (Berry, 2008, p. 75). Communitarian approach in the media does argue that justice must be the central theme to keep society together. This approach promotes more harmony and peace, not individualistic greed of the people. This will nurture sound and lasting values of justice and peace in any democracy.

Check Your Progress V

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Could justice be eliminated from the discourse of Media ethics? Critically Evaluate

12.7 FREEDOM OF PRESS, CENSORSHIP AND LAWS

Freedom of press can't be considered as an absolute right if it puts the life and dignity of an individual at grave risk. Freedom comes with some responsibilities; it is not an absolute freedom. In any case, if it disturbs the people's safety and remains a threat to national security, then, in a fair way, partly censorship of the negative use of freedom of expression could be justified. Also if we honestly and fairly see it as an enabler and potential threat of disturbance, violence, violation of integrity and dignity of an individual, group and community, then it could be restricted, monitored and regulated. However, restriction shall not serve as a legitimate reason to curtail the genuine freedom of speech by citing the threat to national and public safety for gaining political benefits. Government must execute the laws impartially to serve them in the serious interest of the citizens, instead of misusing it against ordinary citizens, opposition, and civil rights activists to criminalize dissent and fair criticism. Indecency, vulgarity, profanity, obscenity and blasphemy must be forbidden in thoughtful free speech.

Press Council of India (2020) has given certain directions for the journalists to maintain accuracy and fairness by excluding paid news. Shakuntala put it (2008, p. 162) "the PCI code suggests that while freedom is key to ethical journalism, freedom alone cannot be a guarantor of responsible journalism and that a free press must function with restraint." Freedom of the media is to be exercised to promote social and public good. Social, political, and economic justice to uplift the oppressed section of the society must be a desired objective of the press. Freedom of press can't be indifferent to the principle of justice in organising affairs and practice.

Hutchins Commission (1947) had presented a remarkable report on *A Free and Responsible Press*, which is still referred to in the course of media for generating guiding principles of fair and ethical media. It advocated for social, political, economic responsibility and free inquiry. It was formed in the wake of World War II. Legal and ethical values are crucial for any civilised society. Dignity, reciprocity, equity and diversity must be guiding values required in the formation of laws and codes in media.

Check Your Progress VI

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Can 'freedom of expression' be considered an absolute right or not? Explain.

12.8 LET US SUM UP

It is a herculean task to provide any conclusive remarks about the codes and principles of the ethical structure of the media and cyberspace. Collective values, nonetheless, mentioned above could offer a more robust and divergent set of values to locate the ethics in the entire functioning of media to foster a just, impartial and egalitarian space of media and cyber world.

It could be easily be derived from the Unit that Race, caste, religion, gender, sex, and linguistic discrimination must not be given importance in the ethical framework of the media. To identify the distorted facts and fake news in cyberspace, independent fact checking websites are referred to. Adherence to discussed ethical values will certainly allow journalists/individuals in the media to truly honour the genuine cause of media, which is to inform and educate people with true and authentic information, so that they can make sound and rational decisions.

Without following ethical principles, most likely, a reliable and justifiable media will never come into existence and adversely harm the society. Despite having diverse frameworks of ethical values in media, there always remains enough scope to explore more and new frameworks and approaches to make the media and cyberspace sincerely ethical. Also the possibility for more sound and viable ethical principles, codes, rules and values in future can never be rejected, which can be incorporated in the discipline of media and cyber-ethics with great admiration.

12. 9 KEY WORDS

Media Ethics: Media ethics as a separate discipline, which attempts to develop ethical codes, rules, and principles for the advancement of truthful, impartial and value-based media.

Cyberspace: Cyberspace came into existence after the advancement of information and communication technologies (ICTs). Cyberspace could be known by various names such as digital space, information space, networked space etc.

Cyber-ethics: It aims at developing moral norms and standards for the digital/cyber space to generate a just and equal digital/cyber/information space.

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12.11 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress I

1. Media ethics is a broader subject. It aspires to evaluate the ethical functioning of the media. Ethics in media involved from the generation of news to dissemination of news. Media, being an important contributor to enhancing our information and knowledge, have some responsibilities; therefore some ethical standards are required to receive truthful and impartial news. It is an applied discipline; hence instead of elaborating on the conceptual nature of ethical codes, conducts and values, it is more devoted to practical significance and application of ethical theories in media. It further attempts to present a normative account of media, which can lay the ground for authentic, transparent and accountable media.

Check Your Progress II

1. Print media is one of the earliest forms of media. People still rely more on written words than electronic media and digital/cyber media. In print media, to become ethical, journalists must choose a relevant case/story, not an artificial one which may not be useful to people. Stories must be authentic and original. Journalists must refrain from distortion, misrepresentation and partiality while writing about the story/news. News must be impartial and truthful. All the used 'sources' for the generation of news must be verifiable and justified. News must be objective and transparent to present the true account of an event.

Check Your Progress III

1. In the electronic media issues related to false illustration of images, incorrect information, and distorted information are involved. Sometimes visuals are illusionary and journalists only present distorted visuals. It may have a negative impact on society. They could demean a person; race, sex, gender community and religion, therefore the content presented in the electronic media must more carefully be checked and executed.

Check Your Progress IV

1. There are a varied range of ethical issues in cyberspace. Some of them include intellectual property, piracy, hacking, copyright, misinformation, disinformation, fake news, patent, trolling, hate speech, digital divide and bullying. All forms of discriminations, accessibility and accountability in cyberspace are the essential parts and parcel of cyber-ethics discourse. Ethical issues are involved with the very design of technology which enabled the rise of cyberspace.

Check Your Progress V

1. Justice is the key part of social responsibility of the media. Ethics and justice are fundamentally connected with each other. Without justice and fairness, we can't honour the true cause and objective of the media, which is to bring the voice of neglected and vulnerable sections of the society into mainstream. If the media succeeds to actualise its objective by informing and educating people, it will inevitably help to develop a sustainable and just society.

Check Your Progress VI

1. Freedom of expression is a fundamental human value. Human beings are rational creatures; therefore, they always have opinions and ideas to share. They must be allowed to do so without any interruption. Though, it can't be absolute in order to sustain the society. Nobody shall be allowed to abuse and threaten the people by using freedom of expression as an instrument for negative purposes. Freedom must be given to express their honest, original ideas and to do legitimate criticism, but not at the cost of human dignity, integrity, community, gender, sect and religion. Recently a trend is witnessed across the world that governments misuse it to stop and punish dissenters in the society, who don't agree with

government's decisions and policies. Though, it is notable that freedom of expression can't be absolute and comes with certain necessary restrictions; this does not mean that rules are unjustly used to avoid criticism and questioning. Identification of intention in the freedom of expression is very crucial.



UNIT 13 MEDICAL ETHICS*

Structure

13.0 Objectives

13.1 Introduction

13.2 Important Approaches in Medical Ethics

13.3 Human Rights and Medical Ethics

13.4 Moral Values in Medical Ethics

13.5 Three Practical Cases in Medical Ethics

13.6 Conflicts among Moral Values

13.7 Let Us Sum Up

13.8 Key words

13.9 Further Readings and References

13.0 OBJECTIVES

The main objective of medical ethics is to provide ethical understandings to students in the field of medicine and clinical practices. Ethics deals with the right or wrong action in a particular circumstance by raising the question of “what should one do?” Medical ethics is a sub-discipline of ethics that helps the students to make the right decisions or choices within the limited field of medicine. Here, the main thing is to understand that ethics and its sub-disciplines start with the notion of the ‘other,’ and where the concept of “other-ness” comes, there would be questions of right and wrong. Thus, this subject creates a platform for students to understand the ethical values and norms in the medical field.

13.1 INTRODUCTION

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Medical Ethics is a branch of applied ethics that deals with practical issues within the area of medicine and clinical practices. Medical research and clinical practices are integrated with ethics. Medical ethics is an important branch of medicine and clinical practices. As ethics plays a vital role in our day-to-day life. Every human being lives their life with their own choices and decisions. One always acts according to one's own choices and decisions. There is an interconnection between one's acts and choices. Ethics starts when human beings make choices and decisions to act. Thus, ethics deals with choices. Where there are no choices there is no role of ethics. There are some common questions that everybody thinks about such as: How can I live a good life? What is a way to live a good life? In a similar manner, medical ethics is a practical subject and also a branch of moral philosophy. Thus, Ethics is an integral part of medical ethics. It deals with those choices and decisions that are considered to act in the everyday medical practices. It is very clear that the purpose of ethics is not to decide what is right and wrong but to consider how we should act in a best manner in the light of our moral obligations and duties as a moral agent.

In addition, medical ethics and culture are connected to each other as different cultural values, and religious beliefs shape our decision-making capacity.

There are some best questions to understand the role of medical ethics in the healthcare domain. Firstly, what kind of relationship should be between a doctor and his patient? Secondly, how should we make decision about to end a life of a patient who is not able to make rational decision for own life? What would be the ethical role of family in making rational decision towards end-of -life issues?

13.2 IMPORTANT APPROACHES IN MEDICAL ETHICS

Ethics is not about applying a fixed set of rules in every ethical dilemma. In ethics, we can resolve ethical dilemmas only through understanding the nature of that problem. There are two important approaches that are applied in practical ethics, especially in resolving ethical dilemmas.

13.2.1 Utilitarianism

Utilitarianism is a traditional ethical theory that is advocated by two important philosophers of 18th & 19th century, Jeremy Bentham and John Stuart Mill. This approach is based on the consequences of action or decisions. In this case, the good consequences of an action may justify the means of an action. The morality of utilitarianism approach does not lie with means but for this approach an end matters. In this context, an action is right if it produces happiness for a greater number of people. In other words, it can be understood that this approach advocates happiness for greater people and opposes those actions that cause harm or unhappiness for larger people. This theory is based on three principles-

- 1) Only pleasure or happiness bears intrinsic value.
- 2) The criterion of rightness and wrongness of an action depends upon the result of an action. If an action promotes happiness, then it is right. On the other hand, if an action promotes unhappiness or pain, then it is wrong.
- 3) In this approach, everyone's happiness has equal value. It does not mean that one's happiness has more value than another one.

This approach can be understood in the healthcare through some examples.

13.2.2 Deontology

This approach is defined by great German philosopher in the 18th century, Immanuel Kant. To understand this theory in the simple terms is that there is a moral relation between agent's duties or obligation and person's good will and it is based on the certain duties or obligations. This approach claims that an end cannot justify the means. Whereas, a good decision (duties or obligations) is the only way to justify the end of an action. In this approach, ethical decisions are independent of the outcomes. There are three important maxims given by Kant:

- 1) The Formula of Universal Law: "Act only according with that maxim through which you at the same time will and that it should become universal law."
- 2) The Humanity Formula: "So act that you use humanity, as much in your own person as in the person of every other, always at the same time as an end and never merely as a means."
- 3) The Autonomy Principle: "A rational being must always regard himself as giving laws either as member or as sovereign in a kingdom of ends which is rendered possible by the freedom of will."

According to deontological theory, the rightness and wrongness of an action depend upon these three maxims. If an action satisfies these three maxims, then that action is morally right, if it does not satisfy then these three principles then it is morally wrong.

In medical ethics, these two approaches (utilitarianism and deontological) play an important role in the decision making. Kantian approach is very relevant in the medical ethics as we should respect autonomy and dignity of a person. Utilitarian approach is also important in the medical care because it gives us rational capacity to make decision for larger people or a whole society.

13.3 HUMAN RIGHTS AND MEDICAL ETHICS

The Universal Declaration of Human Rights, 1948, has defined the concept of “human rights”. “Human Rights are rights inherent to all human beings.” Being a member of homo-sapiens species, it means that all human beings have equal human rights. According to United Nation, the definition of “Human Rights includes the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education.” In the case of medical ethics, every doctor has a duty to protect the patient’s human rights and human dignity. Each code and laws of medical ethics are dependent upon the protection of human rights. In medical ethics, there is special protection for human rights and preservation of life. The concept of human rights is related to that every human being is born to be free and all human beings are equal. Every human being is equal to each other in order to that they have equal moral worth irrespective of their caste, sex, religion, and birth place. It does not mean that one human being has more moral worth than other one. The concept of human rights provides a universal ground for medical ethics to treat patients equally and fairly. Thus, it is very clear that medical ethics is interconnected with the concept of human rights.

13.4 MORAL VALUES IN MEDICAL ETHICS

The ethical and moral problem in medical ethics is generally analyzed and resolved on the basis of “four principles.”* Those are autonomy, beneficence, maleficence and justice. On the basis of these four principles any action in the field of medicine is judged and evaluated

* These are postulated by famous bioethicists Tom Beauchamp and James Childress in their textbook *Principles of Biomedical Ethics*.

ethically. These four principles play an important role to make one rationally and ethically aware about the clinical research and medicine. In this context, Tom Beauchamp and James F. Childress, claims that no one principle can be important without the other. It means that these principals are equally important in the medical ethics. Here, the term “equally important” refers that there is no hierarchy among these principles to resolve moral conflict in the medical field.

13.4.1 Autonomy

The term autonomy is derived from two terms i.e. auto (means self) and nomos (means rule). In this way, autonomy means self-rule. Be autonomous means an individual have the freedom to decide or choose about personal life. “Autonomy” is a very important value in the medical domain because it is person’s or patient’s freedom to decide what to do with his/her life or how he/she wants to live. For example: a patient is free to make decision herself about her life without external influences. But the opposite side can be possible, what about those patients who do not have rational capacity to take own decisions for one’s life. In this case, they cannot make autonomous decision but they will be treated to their best interests. In the simple term, it is said that patient’s consent is must if patient is able to make rational choice or decision for his own life.

13.4.2 Beneficence

The second principle of medical ethics focuses upon other’s welfare or well-being of others. The purpose of this principle in medical ethics is to serve the best interests for others. For an instance: a doctor should act in the manner that action will promote the well-being of a patient. In this context, Beauchamp and Childress claim that there are two kinds of beneficence, positive beneficence and utility. Positive beneficence means to promote benefits in the interests of others. Utility means to weight the benefits and harm in the interests of others. If the degree of benefit is more than the harm then this principle is applicable. Thus, it is the core value of medical ethics.

13.4.3 Non-maleficence

In simple terms, the meaning of this value can be understood that an action should be done in this manner if it cannot promote the well-being of others then that action should not harm for

others. For example, a doctor should treat his patient with the intention of not harming his patient. A doctor should understand the risks and benefits in the case of patient's treatment. Benefits should outweigh the risks.

1.4.4 Justice

This principle is very essential in various fields such as medical, political, social, etc. The main concern of this principle is the distribution of scarce health resources. In medical ethics, the aim of this principle is to create fairness in the society regarding medical and clinical facilities.

These four moral values help us to make rational and moral decisions in the medical fields such as euthanasia, patient-doctor relationship, surrogacy, and so on. Here, only three topics of medical ethics (euthanasia, patient-doctor relationship, and surrogacy) will be considered for explanations. These principles may conflict with each other. One principle may override the other one. For instance: In the case of a person lacking mental capacity or premature baby, the beneficence principle may override the principle of autonomy.

Check your progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What is medical ethics and its role?

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2. Explain the basic four principles of medical ethics that are given by bioethicists Tom Beauchamp and James Childress.

13.5 THREE PRACTICAL CASES IN MEDICAL ETHICS

In this section, three cases of medical ethics (These are the burning issues of medical context.) will be elaborated to understand the application of moral values and ethical theories that professionals refer to resolve the ethical dilemmas or conflicts. There are some important sets of values that should be focused in medical ethics such as respect for human rights, autonomy, beneficence, maleficence, justice, consent, privacy and confidentiality.

13.5.1 Euthanasia

The term “euthanasia” is derived from the Greek *euthanatos* meaning good or easy death. Euthanasia is an act to terminate a person’s life, who suffer from an incurable or extremely painful disease, without possibility of alleviation. There are two types of euthanasia: active and passive. Active euthanasia is an act to take patient’s life deliberately or voluntarily through medical assistance. Passive euthanasia is not an act to take a patient’s life with medical assistance but to withdraw all medical support of a patient and allow him/her to die. In the case of active euthanasia, a patient is provided all medical support to make him/her death as easy as possible. On the other hand, passive euthanasia is about withdrawing all medical assistance of a patient and the consequences of it will be the death. For instance- 1) in active euthanasia, a patient will be given an injection of over dose pain-killers and the result of it will be the death of the patient. 2) Passive euthanasia is to withdraw the oxygen support of a patient who keeps alive with the help of oxygen machine. It is an act of omission or withdrawing the treatment. But the question is which euthanasia is more immoral? Religious or traditional people think that passive euthanasia is morally better than active euthanasia. Some people think that active euthanasia is much better than passive because of giving easy death to a patient.

There are other three categories of euthanasia such as voluntary, non-voluntary and involuntary. 1) **Voluntary euthanasia** involves the consent or wish of a patient to end his/her life. 2) **Non-Voluntary euthanasia** is a kind of euthanasia in which a patient is not able to give his consent such as when a person is in coma, a baby, or a mentally disturbed person. 3)

Involuntary euthanasia is a kind of euthanasia in which a patient wants to live but his/her life is terminated because of its worse situation. This issue is very debatable in bioethics. In some cases where a patient cannot give his consent then what would we say is it a murder or is it a beneficial act to give easy death to a patient? At what point could euthanasia be moral or immoral? The morality and immorality of euthanasia practice could be determined through various practices such as religion, cultural, moral values, law and scientific perspectives.

In some countries, it is legal such as Netherland. In other countries, it is illegal and immoral such as United Kingdom. There are some important questions on which we should reflect upon from the perspective of medical ethics. First, is it morally right to terminate the life of a patient who is suffering from unbearable pain and incurable disease without patient's consent? Second, on what basis would it be justifiable? Is there any difference between killing someone and letting someone die? Is it morally right to decide one's death? But what about those who do not have incurable and painful disease but they want to end their life? These all questions must be analyzed from the lenses of ethical theories and four moral values of medical ethics such as autonomy, beneficence, maleficence, and justice.

13.5.2 Doctor- Patient Relationship

The doctor-patient relationship is the central notion of medical ethics and healthcare issues. Medicine and the clinical research always depend upon the relationship of doctor and patient. Medicine and health care facilities are always meant for patients and medicine and health care facilities always work as a medium between doctor and patient relationship. A patient always must have confidence upon the doctor. All doctors should maintain **confidentiality** regarding their patients. Here, Confidentiality means doctor should protect the private information of a patient. Confidentiality is always based on loyalty and trust between a patient and a doctor. Any private information of a patient can be revealed only for the benefits of a patient if it is required for legal purpose. Medical ethics tries to resolve the moral disputes that arises from the relationship of doctor- patient relationship. In this relationship, the doctor's duty is to promote or improve the health of a patient. If the health care facilities and doctor's decisions are not able to promote the welfare (**i.e. beneficence principle**) of patient, then these all health care facilities and research will weaken the bond between doctor and patient. The decision of a doctor towards his/her patient should avoid the maleficence consequences. In this case, a doctor should act in a manner that patient will not

be harmed or patient's situation will not be worsened than before receiving the treatment (i.e. **Non-maleficence principle**). In the doctor-patient relationship, the application of last moral values i.e. justice is to promote the fairly distribution of scarce healthcare services among all patients. **Informed consent** is the central factor in ethical medical practices. The patient should be informed if there is any possibility of having risks during or after treatment. There should be an agreement between patient and doctor about the consequences of treatment that may create more problems for the patient. In this case, it is a patient's choice to go with that treatment or not. Because every patient has different choices and decisions about their health and life. Here, the principle "informed consent" refers to the respect for patient's **autonomy** and **human rights**.

13.5.3 Surrogacy

Surrogate Motherhood is a form of collaborative reproduction that typically involves three persons: a married infertile couple (the parents) and a surrogate mother. It is a fact that there are more heated views against commercial (money is involved) than non-commercial surrogacy (like as altruistic surrogacy). Some couples may take help this technique because for them pregnancy is dangerous or impossible from medical point of view. In some countries it is legal and in some countries it is illegal. Some ethical questions are raised regarding surrogacy such as commoditization of the child, affects the emotional attachment between the mother and the child, violate the natural process.

The roots of the many arguments depend on the harms that the practice is thought to produce. The methods of surrogacy harm women as well as child in various ways. These methods exploit vulnerable women who need money or who belong to poor family. In this case, a poor woman may become the victim of objectification by reducing them into 'women to fetal container,' 'womb for rent,' or 'reproductive machines.' There is possibility to create hierarchical divisions among women such as genetically superior women will beget embryos in vitro, strong bodied women will carry these "test-tube babies," and sweet tempered women will rear these newborns from infancy to adulthood. These divisions among women affect the inherent value of women, being an 'intended' mother or being a 'carried' mother or being a 'reared' mother and definitely will affect the child-mother relationship. Here, for example, a rich fertile woman uses another woman to undergo the risks and discomforts of pregnancy. Here, another question arises: Is it morally wrong to use another person as a 'means' to get a

child as the 'ends?' According to Deontological Approach in the medical ethics, rational human beings should be treated as 'ends' in themselves and not as a 'means' to something else. The fact that we are humans have equal inherent value in itself and equal human rights. In the case of commercial surrogacy, surrogate mothers are exploited and objectified. In India, commercial surrogacy is completely banned on the basis that a poor women is forced, and becomes the victim of objectification to earn money. Thus, commercial surrogacy seems the violation of human rights and autonomy of a surrogate mother as well as interference with nature.

13.6 CONFLICTS AMONG MORAL VALUES

There is a problem that sometimes one ethical principle or moral value cannot resolve an issue. The solution of the problem lies on the harmony among various principles of biomedical ethics. These principles play an important role in decision making to resolve the disputes of biomedical ethics. However, sometimes one moral value can come into conflict with other moral value. For instance, in the case of euthanasia, a patient's wish is to end the life. Here, a patient does not want to recover through treatment or medical help. On the other hand, a doctor wants to give treatment to patient with the intention of patient's welfare. Thus, there is a conflict between autonomy and beneficence. In this case, some societies prefer beneficence than autonomy. But, if we take the example of '*santhara*' (practice followed by Jainism) religious people may prioritize autonomy over beneficence. Thus, to resolve the conflict between moral principles also depends upon peoples' cultures, religions, and beliefs. Another important example to understand the conflict between two moral principles is commercial surrogacy. In India commercial surrogacy is banned because this practice is against the best interests (Beneficence) of a surrogate mother. Although a woman makes own decision or choice to be a surrogate mother. But, in this case, the principle of beneficence overrides the principle of autonomy. In third instance i.e. doctor-patient relationship, a doctor mostly prioritizes the autonomy of a patient over beneficence of a patient.

Thus, it is very difficult to follow a fixed set of rules in the medical ethics to resolve the situation. Various factors are to be considered to resolve ethical problems in the medical ethics such as respect for autonomy, beneficence, maleficence, justice, informed consent and confidentiality.

13.7 LET US SUM UP

Ethics is not about applying a fixed set of rules in every case. There is no fixed and single approach to resolve the ethical dilemmas of medical ethics. But ethics always follow a systematic approach to resolve ethical dilemmas. As in medical ethics, the doctor should respect the autonomy and dignity of the patient. Treatment should be just and fair. A patient should be informed clearly about his/her treatment. Clear understanding of moral values and principles are necessary to resolve ethical dilemmas such as utilitarianism, deontology, autonomy, informed consent, beneficence, maleficence, and justice. Religious and cultural views also play an important role in deciding how the moral problems can solve in medical ethics. A proper understanding of a culture is needed to resolve the ethical issues from that a person belongs. Thus, there is no perfect and single answer in the medical ethical. Here, the approach in the medical ethics is multi-facets and situational based.

Check your Progress II

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. Explain the understanding of Utilitarianism in medical ethics.

2. Explain the understanding of Deontology Theory in medical ethics.

3. “Medical ethics is not based on applying fixed set of rules but it is situational based”. Elaborate it with practical examples.

Check your Progress I

1. Medical ethics is an applied branch of ethics that deals with the practical issues of clinical medicine and scientific research. Its main aim to examine and analyze the practical issues from ethical and moral perspective. As ethics plays a vital role in our day-to-day life. Every human being lives their life with their own choices and decisions. One always acts according to one's own choices and decisions. There is an interconnection between one's acts and choices. Ethics starts when human beings make choices and decisions to act. Thus, ethics deals with choices. Where there are no choices there is no role of ethics. Examples of practical issues in clinical medicine and scientific research are euthanasia, doctor-patient relationship, surrogacy etc.
2. There are four basic principles in bioethics that are generally applied by bioethicists to evaluate and examine the merits and demerits of medical procedure. Ideally, in medical practices, an action would be ethical if it follows all four basic principles: autonomy, justice, beneficence, and non-maleficence. Firstly, in clinical medicines "autonomy" means patient have freedom to make decision regarding health care. A Patient makes fully informed decision after having proper knowledge of risks and benefits of a medical procedure. No one can force and manipulate the patient. Secondly, "Beneficence" principle refers to any medical research or procedure should be for the welfare of society. It means a medical procedure would be ethical if it is beneficial for whole society not for personal benefits. Thirdly, "Non-Maleficence" principle refers to a procedure should be neutral if it is beneficial at all. It should minimize the harm if it is beneficial for whole society or a patient. Fourthly, "Justice" principle refers to that every medical experiment or treatment must be distributed equally among all groups in society.

If any medical procedure or experiment follows the four principles then it would be ethical.

Check Your Progress II

1. There are two important ethical theories in medical ethics. One is utilitarianism and second one is Deontology. Utilitarianism is a traditional ethical theory that is advocated by two important philosophers of 18th& 19th century, Jeremy Bentham and John Stuart Mill. This approach is based on the consequences of action or decisions. In this case, the good consequences of an action may justify the means of an action.

The morality of utilitarianism approach does not lie with means but for this approach an end matters. Thus, from this perspective, a medical treatment or experiment would be ethical if the result of that experiment promotes happiness or pleasure.

2. Deontology theory is defined by great German philosopher in the 18th century, Immanuel Kant. To understand this theory in the simple terms is that there is a moral relation between agent's duties or obligation and person's good will and it is based on the certain duties or obligations. This approach claims that an end cannot justify the means. Whereas, a good decision (duties or obligations) is the only way to justify the end of an action. In this approach, ethical decisions are independent of the outcomes. In medical ethics, an action or a practice would be ethical from deontological perspective if it follows three maxims of Kant: i) The Universal Principle

ii) The Humanity Principle

iii) The Autonomy Principle

3. Ethics is not about applying a fixed set of rules in every case. There is no fixed and single approach to resolve the ethical dilemmas of medical ethics. But ethics always follow a systematic approach to resolve ethical dilemmas. As in medical ethics, the doctor should respect the autonomy and dignity of the patient. Treatment should be just and fair. A patient should be informed clearly about his/her treatment. Clear understanding of moral values and principles are necessary to resolve ethical dilemmas such as utilitarianism, deontology, autonomy, informed consent, beneficence, maleficence, and justice. Religious and cultural views also play an important role in deciding how the moral problems can solve in medical ethics. A proper understanding of a culture is needed to resolve the ethical issues from that a person belongs. Thus, there is no perfect and single answer in the medical ethical. Here, the approach in the medical ethics is multi-facets and situational based.

UNIT 14 BUSINESS ETHICS*

Structure

14.0 Objectives

14.1 Introduction

14.2 Definition of Business Ethics

14.3 Aspects of Business Ethics

14.4 Characteristics of Business Ethics

14.5 Significance of Business Ethics

14.6 Factors Influencing Business Ethics

14.7 Application of Ethical Theories: Deontology, Consequentialism, Virtue Ethics

14.8 Role of Corporate Social Responsibility

14.9 Let Us Sum Up

14.10 Key Words

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14.0 OBJECTIVES

The objectives of this unit on Business Ethics are as follows:

- To understand and analyze what Business Ethics is.
- To examine the vital characteristics of Business ethics and ethical problems arising in a business organization.
- To discuss unethical business practices with examples and how through codes of business ethics the companies could avoid them.

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- To explain the nature, aspects and the growing importance of business ethics in today's economy.

14.1 INTRODUCTION

The term “ethics” has its roots in the word “ethos”, which means character. Ethics is a philosophical study of the codes of conduct which are believed to govern our actions. It has social acceptance which is said to evaluate the action as right or wrong. It is a critical reflection on what one does or why one does. When we talk about business, it is assumed that business is as old as human civilization and laws come into existence much later. Laws are basically formal codification of ethical conduct of the society. So, it is generally believed that the codes of ethics begin first when people began to live in groups. Thus, since beginning it may be said that the ethics continue to guide the mankind to follow the right path. Similarly the role of ethics has been a perpetual issue. Ethics plays a very crucial role and is an important aspect in how we do business. This is because ethical responsibilities in businesses helps us to understand and to establish rules, processes, practices and behaviors, that will be acceptable among employees, businessmen and management.

Ethics can be considered as a major concern for both large and small businesses because it is believed that an ethical code of conduct teaches the employees, businessmen about what is and what is not acceptable in a business. So here the role of business ethics will assist and guide in weighing the possible repercussion of our business actions and it will also educate us on how to draw moral distinctions and to resolve ethical dilemma(s).

Role of ethics has been gaining importance in recent times due to the growing size of businesses and due to the high impact and effect on the lives of millions of people. The aim and purpose of business is to earn profits and every business tries to maximize its profits. So here the ethical questions are: how much profit is to be earned and at what cost? What will be social impact of it? Will it be beneficial for the society? What are the importance ethical issues that we should keep in applying risk and benefit factor in a business? It is essential to keep in mind these questions because in a market place, beyond a certain point, one man's profit may result at the cost of loss to someone else. There are situations where there is a huge involvement of power, illegal practices in business to earn profit. At such times, the role of ethical code of conduct in business plays a very important role. A good responsible citizen

as a businessman is expected to limit his greed and not to involve in illegal or unethical practices which will harm the common people.

Let us take the example of two friends Raman and Satish. Raman and Satish are very good friends. They lived close by and studied in the same engineering college. They both started their IPO companies separately after doing jobs in MNC's for some years. In Raman's company, the IPO was heavily oversubscribed at the upper hand and if he wanted, he would have charged maximum amount from its subscribers. But in this situation, his management team decided to charge Rs.50 less than it could have. The company voluntarily decided not to take profit from its shareholders. But on the other hand, in Satish's company, the share prices were manipulated to almost twice its earlier prices and then sold at the maximum offering despite share prices have fallen at the time of actual allotment. Whatever Satish's management team did, can we ethical justify such act?

Here if we look at the contribution of Raman's Company towards society is really recommendable. Raman's company has no legal commitment to invest huge sums on esteemed centers like Hospitals, Institute of Social Sciences, and Fundamental Research Centres etc. But Raman does such noble work out of corporate ethics to support humanity and society.

In any business organization from top executive to bottom line employees, ethical conduct is very important. So it very important to make a balance between two things at the same time, that is high level of economic performance at one hand and to conduct ethical business at the other hand.

14.2 DEFINITION OF BUSINESS ETHICS

14.2.1 Business Ethics

There are different branches of applied ethics and business ethics is one of the important branches of applied ethics. Business ethics is a combination of two words-'Ethics and Business' which means application of ethics in business. It is the application of general ethical rules to business conduct and behavior. These are the rules of business by which business activities are judged. Business ethics is the organized applications of value in business and industry. Business ethics focuses on moral standard as they apply to business policies, institutions and behavior. It is the study of morally right or wrong action in business.

It states that business can make profits under ethical guidelines also. Today more and more interest and importance is being given to the application of ethical practices and ethical implications of business.

Business ethics is a kind of applied ethics that evaluates ethical principles and problems that arises in a business world. It is also called corporate ethics. Business ethics means to conduct business in order to give welfare to the society. So, it is the social and ethical responsibility that the businessmen must give a regular supply of good quality goods and services at reasonable prices to their consumers. It is important that they must avoid indulging in unfair trade practices like misleading advertisements, manipulating or fooling the consumers, black marketing etc. They must treat the workers or labors well and give fair wages and must provide good and a safe working condition. Any unfair means to earn profits must be avoided and they must pay all their taxes regularly to the government.

14.2.2 The three C's of Business ethics

A) Compliance: It include the following points:

- Moral Principles
- Laws
- Policies of the company

B) The Contribution: The following are the contribution that business should make towards the society:

- Quality of products/service
- Employment
- The core values
- Usefulness or utility of product

C) The Consequences of business activity:

- Social responsibility toward shareholders, bankers, employee and customers of organization.

- Good public image

Business ethics basically refer to the moral principles which are assumed to govern business activities. The purpose of business ethics is to lay down norms of behavior by the business.

For example:

1. To charge fair prices from the customers.
2. To pay taxes to the government on time.
3. To give fair treatment to the workers.
4. To earn reasonable profits.

Business ethics has grabbed attention due to the many scams and illegal business practices that has been exposed in recent times. In business ethics unethical behavior is not acceptable at any cost. It is very important for the business entity to ensure safety for the consumers and be ethical in business practices. The following are the two examples which show the unethical conduct on the part of business entities:

Metallic Mobile Company: A renowned mobile company named “Metallic Mobile Company” launched LOGO phones in 2010, was sold widely all over the world. But due to the worldwide reports of battery failure, heating issues, phone catching fire, thousands of LOGO mobiles was replaced by new safe phone by Metallic Mobile Company causing huge embarrassment and economic loss to the company. But the new safe phones were again found to have same problems with many customers reporting fire in the replacement phones. Many countries banned on carrying the LOGO phones on planes in checked-in baggage and in the hand baggage. Unable to fix the problem in the phone, the Metallic Mobile Company had to completely stop the sale of the phone across the world. The report suggested that Metallic Mobile Company had to take the loss of about 3.9 billion dollars due to this. Due to this technological failure to ensure safety of the product resulted in economic loss, loss of faith of consumers in Metallic Mobile Company products.

Better-Ride Cars pollution fraud case: Many models of Better-Ride cars were sold all over the world where Better-Ride car company claimed low pollution levels of diesel cars. But later on the Environmental Protection Agency limited (EPAL) found that nearly 540,000 Better-Ride cars sold had special software that was intended to avoid pollution level detection. This software enabled diesel engines in these cars to detect when they are being

tested and to change the engine performance according to improve the test results. Later on Better-Ride Car Company admitted that they cheated pollution tests using this software. This case again resulted in loss of consumer faith and confidence. EPAL also fined the company and a case against Better-Ride Car Company was settled for a penalty of 20.6 billion dollars for the pollution fraud.

Check Your Progress I

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What do you mean by ‘business ethics’?

2. What is the role of business ethics in the society?

14.3 ASPECTS OF BUSINESS ETHICS

Let us now discuss the two aspects of business: Corporate Governance and Financial Reporting.

14.3.1 Corporate Governance

It basically deals with how businesses are conducted. It is based on ethical policies that are an essential framework of a good, successful business. For example, Mr. Ashok, an honest officer, in public works department, after taking voluntary retirement started a company

named 'Business Ascent' and with his hard work and dedication his company emerged as one of the best managed companies in late 1990s. His company adopted a very good corporate governance practices and performed better than those of many other companies. His company had actually maintained a high degree of transparency while disclosing information to stakeholders and in 2005 'Business Ascent' had been awarded the "National Award for Excellence in Corporate Governance" by the government. Some features related to good corporate governance are as follows:

- All business activities and practices must be based on corporate social responsibility. Making profits in businesses must not be only objectives in any business. It is important that that the corporate bodies must be aware of their responsibilities to the society. They must have basic concerns toward humanity. They have the responsibility towards public safety, public health and public welfare. Thus corporate governance must be concerned with major issues like health, human rights, environment etc, although they are not directly a part of business and they must contribute to sustainable development. This realization towards public good and environment is very important for doing good business.
- It is important for every corporate entity to formulate a code of ethics for ethical functioning of the organization. This must be known to all the clients, employees and stakeholders.
- Corporate governance must stand scrutiny in term of transparency in its dealings, business policies, plans and actions.
- Communication mechanisms and information must be available to all to the extent that it does not hamper business progress. This actually goes well with integrity of business practices and extracting unbiased loyalty from employees.
- The business must ensure principle of equity and justice to all those who are involved in business. This helps in promoting and enhancing dignity, credibility of corporate managements and groups.
- Corporate governance must always look for excellence and development through ethical conduct in this competitive world.

- Governing rules and regulations put forth by the government must be followed and respected by business entity. Any unethical conduct that will damage the image of business world and entity must be avoided at any cost.

14.3.1.1 Ethical Issues in Corporate Governance

Corporate governance is directly related and affects the market value and reputation of the company. So if the company has a poor governance policy, then it may result in reputational damage, loss of capital investment, fines to the organization. It is important that we avoid few common mistakes in corporate governance policies:

a) Insider Trading: Insider trading occurs when share are bought or sold on the basis of classified information. Insider trading is meant to buying or selling a security, on the basis of non-public information about the security. Insiders have an advantage over others investors in market in terms of knowledge, information, a privilege that they could take to gain profits in business. A lack of transparency in business activities may expose the company to penalties from regulatory governing agencies.

b) Over Boarding: The concept of 'over boarding' refers to director or executive who sits and works for multiple number of boards. This could lead to unrestricted time commitments and inability to fulfillment of their duties. Companies consider concerns about overcommitted directors and as a result policies must be adopted for limiting the number of boards on which their directors serve the organization.

14.3.2 Finance and Accounting

Ethics in accounting and finance practices is same as corporate governance. In accounting and finance practices also there are well formulated ethical rules and regulations. It comes into focus after scandal and scams related cases in IT and ITES Company. Let us consider fictitious examples related to scams and scandals: Swaraj Service limited, Jeevan-Kalyan Insurance loan scam. The Swaraj Service limited case showed a total failure where accounting malpractices was done to cover up the diversion of funds and embezzlement and profits was show where none existed. Such unethical practices in Swaraj case showed lacking of transparency in finance and accounting dealings. Jeevan-Kalyan loan scam is also another example where a lot of unethical practices like favoritism and bribery in financial dealings, disregard of rule of transparency by senior managers was reported.

The following are the important canons associated with finance and accounting practices:

- Businesses must follow the well laid-out norms for accounting practices.
- Transparency in accounting practice is important to follow and no attempt should be made to manipulate the accounts that will affect the financial health of the company.
- Business companies must follow well laid-out norms for reporting financial aspects during the annual general meeting (AGM).
- The expenses involved in businesses must be legitimate and there should be no fraud dealings that cannot be reported in the accounts.
- Financial audit has a great impact in the financial practices of company. It has a very crucial social responsibility as it give true information about the financial health of a company.

14.4 CHARACTERISTICS OF BUSINESS ETHICS

The following are the characteristics of business ethics:

Code of conduct: All businessmen must follow the code of conduct. It guide in telling what to do and what not to do for the welfare of the society.

Provides basic framework: Business ethics provides a basic framework for doing a successful business. It provides the social, cultural, economical and legal ground for conducting a business.

Based on social and moral values: Business ethics is based on social and moral values which includes self-control, consumer protection and welfare, integrity, service to society, fair treatment to social groups, no exploitation at workplace etc

Provide protection to social groups: Business ethics provides protection to social groups such as consumers, employees, small businessmen, government, stakeholders, shareholders etc.

Requires education and guidance: Education and guidance are necessary components in order to be acquainted with how to apply business ethics in their businesses. They must be aware of the advantages of business ethics.

Voluntary: Business ethics must be accepted and followed by the businessmen on their own. It must not be enforced by laws.

Respect for employees: It is very important that the owner of the organization must respect his employees. They must value their opinion, treat them with respect and make sure that their efforts are recognized and rewarded.

Relative term: Business ethics is a relative. It changes from one business to another business, from one country to another country, according to the need and requirement of the organization and business entity.

Integrity: Integrity in business organization is an important characteristic to perform regularly and for the healthy environment at workplace. This is because healthy competition is the start of success, management and delivery of good services to the public.

Society's Interests: The main motive of any business is to work toward the development and welfare of the society and public.

Check Your Progress II

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What is the importance of corporate governance in business world?

2. What are the essential characteristics of business ethics?

14.5 SIGNIFICANCE OF BUSINESS ETHICS

As it is clear from above the discussion that for a long term bases of businesses, the ethical ground is the very important. In fact many research finders have supported the famous saying:

“Good business ethics promotes good business”. Business ethics not only encourages professionals and professionalism in management but it also helps the businessmen in inculcating values in their lives and purify their inner self. The significance of business ethics are as follow:

A) Positive Consequences: Business with ethics always results in positive consequences. This is because when ethical conduct is followed in business then it build mutual trust, confidence in relationship, acceptance of rules and approval of the society.

B) Inner Satisfaction: In this world, every businessmen are seeking mental peace, self satisfaction, free from tension and anxiety. So it is believed that to attain mental satisfaction, only ethics can promote good business. It is also the social responsibility of the businessmen towards the society that they should not implement unethical conduct to earn profits in their businesses.

C) Goodwill of the Business Organization and Businessmen: Good ethical conduct will always promote the goodwill of both businesses as well as the businessmen. For a successful business, a good public image is important because once a business organization’s image is blemished it direct affect the sales, profits, image of the business.

D) Success and Development: Ethical environment in business ultimately lead to the development and success of business. It is because the sincere hardwork and honest effort of a person make a person moral and help them to achieve success in their efforts in business.

E) New Management: New ethical principles are needed in new management for overall development and honor of the organization.

F) Encourage and motivate others: It motivates and encourages other businessmen also to follow the path of ethical conduct if some businessmen have earned profits by following ethical principle. It also set examples for others also.

14.6 FACTORS INFLUENCING ETHICAL DECISION MAKING IN BUSINESS

The following are the factors that influence the decisions in business:

1. Leadership: The role of leaders towards the achievement of common goal is very important. Leaders are mentor and model that guide, influence and motivate others to work under ethical principles. It is necessary for leaders to set a good examples and ethics in their conduct because where there are good leaders there will be good ethical practices in business.

2. Sustainable Development: An organization must use natural resources wisely and should be ethical in its utilization. So the principle of sustainable development must be followed for the protection of resources for future generations.

3. Corporate Culture: It is a combination of set of values, beliefs, goals, norms that prevail within an organization.

4. Strategy and performance: To motivate and integrate ethical code of conduct into the business strategy, certain questions are always given priority in business, like What do we stand for? What is our aim and objective? What values should we follow for the welfare of the society?

14.7 APPLICATION OF ETHICAL THEORIES: DEONTOLOGY, CONSEQUENTIALISM AND VIRTUE ETHICS

Let us first very briefly recapitulate these three ethical theories one by one, (which have already been discussed in unit 1).

14.7.1 Deontology

The term deontology is said to be derived from Greek word “deon”, which means duty to do the right thing. Charlie Dunbar Broad defined this term as duty or obligatory actions. This theory is credited to Immanuel Kant (also known as Kantian theory). According to him an action is right, if it is done in accordance with the cardinal principles. So here actions have to be performed according to the duties that are prescribed to be ethical. For Kant, we have

duties to ourselves, as we rational beings and autonomous beings. For example: duties to help others, duty not harm others, duty to develop our talents etc. This theory also states that the motive and intention of an action is important and consequences or result of an action is not important. According to Kant Moral duties are defines categorical imperative. They are the commands that we impose on us as a rational beings.

14.7.1.1 Categorical Imperative is based on 3 principles or maxims

Act in such a manner that we can also will at the same time that it becomes a universal law.

Act in such a way that you always treat humanity.

Act like a law-making member of a kingdom of ends.

14.7.2 Consequentialism

According to this ethical theory, the consequence of an action decides whether the action is right or not. If the consequence of an action produces happiness or intrinsic good then that action is considered as right and if it produce pain then action is wrong.

They are of two types:

a. Ethical egoism: If the consequences of an action produces happiness of an individual then action is right.

b. Utilitarianism or Altruistic Hedonism: If the consequence of an action produces happiness for maximum number of people then action is right and if produce pain then it is a wrong action.

14.7.2.1 Utilitarianism

The term “utilitarianism” is said to be propounded by Jeremy Bentham and John Stuart Mill. According to this theory, an action is right if it produces maximum happiness for the maximum number of people and an action is wrong if it produces pain. In this theory, consequence of an action is important, motive and intention are not important. For, Jeremy Bentham all kinds of happiness are qualitatively and quantitatively is same. But for J.S.Mill, there are two levels of happiness: Lower Level (bodily pleasure, momentary pleasure) and Higher level (contemplation, contentment, self-realization).

14.7.3 Virtue Ethics

Aristotle is considered as the most prominent philosopher of this ethical theory. This is one of the oldest theories where virtues are acquired habits that help us to lead a rational life. Virtues are defined as acquired habits to exhibit a proper balance between two extremes (excess and deficiency) of an action- finding a means between two extremes called *Golden means*. According to this theory, an action is right if what a virtuous person would have done in a similar situation. For example:

Virtue	Excess	Golden Mean	Deficient
Truthfulness	Revealing all in violation of fact and confidentiality	Necessary and sufficient, to proper person	Secretive
Courage	Bold	Firm and humble	Cowardice

14.7.4 Case Study

Let us consider a case to see how these ethical theories are useful in deciding what action is to be taken in a given situation:

Mr. Joseph is a successful businessman and his company named 'JK Constructions' got a project of dam construction on Neelkanth River. The salient features of the dam are as follows:

Benefits: Irrigation facility to 1200 villages, drinking water availability to 2450 villages, power generation of 1400 MW.

Download of the project: 120 villages submerged, 1500 families affected, 30,000 hectares of land submerged of which 14,585 hectares are forest land.

If we consider the various ethical theories to justify the construction of such mega project, we face many difficulties. If we consider duty ethics to justify the construction of such dam, then duty ethics does not help because both parties have duties to respect the right of others. If we consider this project from the utilitarianism point of view, there are plenty of benefits in terms of power generation, irrigation and drinking water. However, in this project the large

number of people will be displayed and they will be deprived of their livelihood. It will also cause damage to the ecosystem. While from the point of view of general public good, this project may be adopted and the issues of both rehabilitation efforts for people and efforts to minimize damage to the ecosystem must be taken up seriously and it should be completed also. If we consider this project from the point of view of rights theory, there is definitely a conflict of rights of those benefited and those affected. Morally, the project has a right to exist only when the rights of people affected are taken care of.

14.8 ROLE OF CORPORATE SOCIAL RESPONSIBILITY (CSR)

Corporate social responsibility is basically related to operating a business in such a manner that accounts for the social and environmental impact created by the business. It is a commitment towards the responsible business practices with their impact on the society and to report on regular basis to show the progress made towards accomplishing business objectives. CSR reports cover a wide range of issues such as governance, worker safety and welfare, ethical conduct, purchase and supply chain operations, environmental impact, energy audit. Today CSR efforts also focus on social, economical and environmental sustainability. It is a kind of international private business self-regulation which aims to work towards the societal goals of a philanthropic, activist or charitable nature under ethically-oriented practices and conduct.

Types of Corporate Social Responsibility are as follows: environmental, philanthropic, ethical and economic responsibility.

1. Environmental Responsibility: According to this, the organization must work responsibly towards the environment following the principle of sustainable development. There are several ways to embrace this responsibility like reducing pollution, greenhouse effects, increasing reliance on renewable energy, sustainable resources etc

2. Ethical Responsibility: This aim to achieve fair treatment among all employees, stakeholders (includes leadership, suppliers, investors, manufacturers, customers). There should not be any discrimination at workplace on the bases of caste, creed, religion, nationality.

3. Philanthropic Responsibility: This responsibility aims to actively make the world and society a better place to live. It involves donating funds, good services to another organization.

4. Economic Responsibility: It is the practice towards the healthy finance of the organization. The end goal is to earn profits without unethical conduct.

Many industries all over the world are well aware of the importance of CSR. Many organizations have shown recommendable work in their performing their duties towards people, planet and profit.

Community Investment: Based on their heritage and business, the company focuses on the following major areas:

- Strengthening communities
- Improving opportunities for women and minorities
- Helping children and youth to utilize their potential.

Check Your Progress III

Note: a) Use the space provided for your answer.

b) Check your answers with those provided at the end of the unit.

1. What do you mean by corporate social responsibility?

14.9 LET US SUM UP

Business ethics is an important branch of applied ethics where moral principles act as guidelines for business conduct and its transactions. The need of ethical conduct in every business is important because it help in earning profits under the ethical guidelines, keep workers safe, help trade and interactions between companies remain honest and safe and

generally promote principle of equity and fairness in businesses. The reason why business ethics is important can be seen every day on the news where a lot of business scams are heard on daily bases. In recent times we have seen that many corporations are held accountable for unethical and questionable behavior and their brand image is tarnished. So here business ethics enable us make responsible decisions towards public good, public health and public welfare. It helps us in maintaining dignity and honor of the business entity and organization. Business ethics is meant to protect the various social groups of consumers, employees, small businesses, governments, shareholders etc. in an organization. Business ethics provides a basic framework for business which works towards the social, economical, cultural, legal development of the society. Business is basically an organization that includes various social and economic rules and regulations. It covers a person's criteria and behavior guidelines, such as how to behave yourself, how to improve yourself, how to conduct ourselves in business decisions without compromising our core values in our life. Basically business ethics is not against making a real or fair profit. It is only against the profits that we attain through fraud and by cheating the consumers. It supports business activities through fair and legal ways.

14.10 KEY WORDS

Business Ethics: Business ethics is the study of how a business should be conducted under ethical and moral guidelines. It is the study ethical principles which help us in resolving ethical dilemmas and controversial situations in business activity.

Corporate Governance: Corporate governance can be defined as the combination of laws, rules, and operations, processes by which businesses are regulated, monitored, operated and controlled. It is concerned with how the governing board authority manages the business throughout the organization. It works for the benefit of every person that is involved directly or indirectly within the organization which ensures that the enterprise follow formal laws, ethical standards and reasonable and acceptable practices.

Corporate Social Responsibility: Corporate social responsibility is an important form of management concept whereby business organizations and companies integrate social and environmental concerns in their business operations and interactions with their stakeholders. It is a company's commitment to responsibly manage the social, economical and environmental impact of its operations within the boundaries of public expectations. It

describes how a company gives back or improves the community. CSR is a very important factor in business world because it not only increases business, profits and revenue but they also promote change and progress throughout the world.

14.11 FURTHER READINGS AND REFERENCES

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14.12 ANSWERS TO CHECK YOUR PROGRESS

Check your progress I

1. Business ethics can be defined as an ethical code of conduct and principles that govern decisions and actions within the business organization. In business world, the organization sets a standard of morality for guiding the actions and justifies the decisions in business. It examines ethical issues that may arise in the business environment.

2. The role of business ethics in society is very important for a variety of reasons. It keeps the business to work within the boundaries of the ethical conduct and laws. It also ensures that they aren't committing any crimes against their customers, stakeholders, employees, staffs, workers. It helps the business entity and businessmen to achieve success and earn profits in the society. Business ethics also build trust between the business companies and the consumers. Following ethical code of conduct in business is also highly appealing to investors and shareholders. High ethical performances by the employee not only help in

achieving profits but also attaining integrity as an individual. Overall, the role of business ethics plays a crucial role in achieving trustworthiness, respect, fairness and integrity among employees, workers, businessmen and consumers. The ethical conduct is not only important in business but also in all aspects of life. It is an essential part for the foundation of civilized society. A business or society that lacks ethical behavior is bound to fail sooner or later.

Check your progress II

1. The corporate governance is very important in business world because it play a crucial and essential role in development and success of any organization. The good corporate governance practices offer many lessons to corporate world. It helps in increasing shareholder wealth and safeguarding the interests of other stakeholders. Corporate governance provides a well-defined and enforced structure that works for the benefit of employees, employers, customers under the guidance of ethical code of conduct. Without a good corporate governance, the financial health of a any business organization could be damaged soon or later.

2. The essential characteristics of business ethics are as follows:

a. **Respect for employees:** A true and a good businessman recognize his employees' contribution to the success and development of the business. b. **Core values:** Every organization has a set of ethical codes to achieve success in business and to enhance the image of business organization in public. c. **Integrity:** Integrity is very important to maintain both at personal and professional life. There will be a situation where you will be tempted to compromise your value for profit, but we should do just the opposite if we want to be an ethical businessman. d. **Safe working environment:** An ethical businessman must not only respect his employees but also provide a safe working environment for the people who work for them. e. **Voluntary:** The businessmen must follow business ethics voluntarily as self-love. It must not be compelled by law and force.

Check your progress III

1. Corporate social responsibility is an important concept in business world where companies merge social, moral, economical and environmental concerns in their business operations and interactions with their stakeholders. It is the idea that a business has a responsibility towards the society. It is meant to protect the environment, to create a work environment that enhances employees' quality of life.