

The very purpose of a 'civil servant', is to cater and serve the people to the best of their abilities. Without a compassionate attitude, neither the civil servant, nor the section of society that they work for, would be happy. Thus, civil servants must have compassion for an effective, efficient administration and better implementation of the laws, schemes and government programmes.

2. ***(a) Ethics may, at times, seem to be in conflict with law and vice-versa. Discuss with suitable examples. (150 words) 10***

Approach:

- Briefly define the terms- ethics and law to bring out the difference between the two.
- Give arguments to support and counter the given statement in the question.
- Provide various examples in support of your argument.
- Conclude appropriately.

Answer:

Ethics is a set of moral principles that a society places upon itself to decide rightness or wrongness of an action. Whereas, law is the system of rules, which a particular country or community recognizes as regulating the actions of its members. The sanctions for violating ethics are informal and societal while law has the formal sanctions of the state. Law comprises moral connotation and also acts as the source of ethical guidance. However, ethics and law might not always be in consonance.

Ethics in conflict with law

Laws set minimum standards of behaviour while ethics sets higher/ideal standards. There are some activities that might not be illegal but are certainly unacceptable. For instance:

- Many corporations and individuals do not pay adequate **taxes** by using loopholes in the taxation rules. But these actions are not ethical.
- In India, the **advertisements** that depict darker skin tone as inferior are not only **discriminatory in nature** but are also **misleading**. Even though there is no law that prohibits these advertisements, they are unethical.
- Similarly, **Indian penal code** does not recognize **marital rapes**, but the issue of sexual misconduct does exist in the realm of the institution of marriage.

Laws in conflict with ethics

Ethical value of a community or a society evolves over a period of time. But the law might not undergo corresponding changes. For instance:

- For a long time, Indian legal system had **criminalized homosexuality**. Punishing individuals due to their sexual orientation is not only against natural justice but also against ethics.
- *Until recently*, only men in India could be prosecuted for **adultery under Section 497** of IPC. Though both men and women are capable of adultery and should be ethically booked for the act.
- Also, there exist **sedition laws** in the country that are often evoked to muzzle the valid criticism of the state or the state apparatus.
- Historically, laws related **to apartheid in South Africa** and **racial discrimination in USA** were unethical and morally corrupt.

Thus, though the law might guide ethical behaviour in certain circumstances, the ethics cannot be constrained by law. The scope of ethics is much wider that goes beyond the realm of laws. As the ethics of the society evolves, the law is also modified accordingly. A case in point is the legal recognition of 'live in relationships' in India.