

Importance of ethics in Professions

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Ethics may be defined as the study of what is right or good in human conduct. It is the general theory of conduct and considers the actions of human beings with reference to their rightness or wrongness and their tendency towards good or evil.

I.MEANING OF ETHICS

According to *Philology* (Philology means the branch of knowledge that deals with the structure, historical development, and relationship of a language or languages.) the word ‘ethics’ is derived from the **Latin word Ethos**, which means character, habits, activity or behavior of human beings. Ethics is also called moral philosophy. The word moral is a derivative of **the Latin word ‘Mores’** meaning conventions or practice. In this way ‘Ethics’ literally means ‘the Science Of Convention or Practice’. Ethics is the science of human conduct. Habits and behaviour are related to the permanent speciality of human character. Conduct is the mirror of character. Thus ethics is the science of character or habit. It evaluates human habits, character and voluntary determinations and discusses their propriety or otherwise.

It studies the ideals of human life. It shows what ought to be done and what ought not to be done. In the words of James Seth, “As the science of the Good, it is the science excellence of the ideal and the ought.”¹ According to Mackenzie, ethics can be defined as, “The study of what is right or good in conduct.”²

What is a Profession:

A Profession is a Disciplined group of individuals who adhere to ethical standards who hold themselves out as, and are accepted by the public as possessing special knowledge and skills in a widely recognised body of learning derived from research, education and training at a high level, and who are prepared to apply this knowledge and exercise these skills in the interest of others. It is inherent in the definition of a profession that a code of ethics governs the activities of each profession. Such codes require behaviour and practice beyond the personal moral obligations of an individual. They define and demand high standards of behaviour in respect to the services provided to the public and in dealing with professional colleagues. Further, these codes are enforced by the profession and are acknowledged and accepted by the community.

What is a Professional Ethics:

Professional ethics encompasses the personal, and corporate standards of behaviour expected by Professionals.³ The word professionalism originally applied to vows of a religious order. By at least the year 1675, the term had seen secular application and was applied to the three learned professions. Divinity, Law and Medicine.⁴ The term professionalism was also used for the military around this same time.

Professionals and those working in acknowledged professions exercise specialist knowledge and skill. How the use of this knowledge should be governed when providing a service to the public can be considered a moral issue and is termed professional ethics.⁵

It is capable of making judgments, applying their skills, and reaching informed decisions in situations that the general public can not because they have not attained the necessary knowledge and skills.⁶ One of the earliest examples of professional ethics is the Hippocratic oath to which medical doctors still adhere to this day.

Professional Codes of Ethics:

A code of ethics prescribes how professionals are to pursue their common ideal so that each may do best she can at a minimal cost to herself and those she cares about (including the public ...). The Code is to protect each professional from certain pressures (for example, the pressure to cut corners to save money) by making it reasonably likely (and more likely than otherwise) that most other members of the profession will not take advantage of her good conduct...A code is solution to a coordination problem. "Thinking like an Engineer."

Individual Professional Obligations:

1. An individual's professional obligations are derived from the profession and its code, tradition, society's expectations, contracts, laws and rules of ordinary morality.
2. A professional has obligations to his/her.
 - Employer
 - Clients/Customers
 - Other Professionals-relations of collegiality, specific expectations of reciprocity.
 - Profession as a collectivity.
 - Society- responsibility to serve the public interest.

Upshot: A professional is not a mere hired gun; responsibilities go with knowledge and position.

Individual Responsibility:

- Sphere of tasks – daily/regular responsibilities.
- For outcome caused by one's actions or decisions.
- Liability-answerability for one's actions or decisions.

- Capacity –to appreciate, to control one’s behavior.
- Moral responsibility- looking ahead to and caring about what happens to oneself and others.

Levels of failing to meet one’s individual responsibility.

Negligence-failure to meet the appropriate standards of care (or that level or quality of service ordinarily provided by other normally competent practitioners of good standing in that field, contemporaneously providing similar services in the same locality and under the same circumstances.)⁷

Some Special Professional Ethics.

1. Medical Ethics
2. Legal Ethics
3. Educational Ethics
4. Business Ethic
5. International Ethics

II.MEDICAL ETHICS

Medical ethics is a system of moral Principles that apply values to the practice of clinical medical and in scientific research Meedical ethics is based on a set of values that professionals can refer to in the case of any confusion or conflict. These values include the respect for autonomy, non-maleficence, beneficence, and justice.⁸ Such tends may allow doctors, care providers, and famillies to create a treatment plan and work towards the same common goal without any conflict.⁹ It is important to note that these four values are non-hierarchical, meaning no one principle routinely “trumps” another.¹⁰

The term medical ethics first dates back to 1803, when English author and physician “ Thomas Percival” Published a document describing the requirements and expectations of medical professionals with in medical facilities. The code of ethics was than adapted in 1847, relying heavily on percival’s words over the years in 1903, 1912 and 1947, revisions have been made to the original document.¹¹ The practice of medical ethics is widely accepted and practiced throughout the word.¹²

A Common frame work used in the analysis of medical ethics is the for Principles approach postulated by “ Tom Beauchamp and “ James Childress” in their textbook “ Principles of biomedical ethics” It recognizes for basic moral principles, which are to be judged and weighed against each other, with attention given to the scope of their application. The four principles.¹³

1. Autinomy: The Patient has the right to refuse or choose their treatment.
2. Beneficence: A practitoner should act in the best interest of the patient.
3. Non-Maleficence: To not be the cause of harm. Also “utility” – to promote more good than harm.
4. Justice: Concerns the distribution of scarce health resources , and the decision of who gets what treatment.

III.LEGAL ETHICS

There is observance of ethics for an advocate, pleader or barrister-at-law in the professional matters. He must not take up a doubtful case simply for the sake of fee, even when he feels that he cannot succeed.

He must not coach up false witnesses. Coaching up of false witnesses itself a crime. It is a heinous sin. An advocate who coaches up false witness kills his conscience and soul also. In addition, he corrupts others also. He can't have any progress in the spiritual path. He cannot argue forcibly, because falsehood has no strength. He cannot stand up with a majestic attitude as his moral backbone is fragile. He cannot be sure of success though he may twist and distort in diverse ways. Truth alone will triumph in the end. When he takes up a case he must work sincerely for it even though there is some delay in getting his fee from his client. He must take up the cases from poor people without charging any fee. He must work for the public good also without expecting any rewards.

Section 49(1)(c) of the advocate Act, 1961, empowers the bar council of India to make rules so as to prescribe the standards of professional conduct and etiquettes to be observed by the advocate. In the exercise of the rule-making power under section 49(1)(c) of the advocate Act, 1961, the bar council of India has made several rules so as to prescribe the standards of professional conduct and etiquette. Chapter II of part VI of the rules framed by the BCI, deals with the standards of professional conduct and etiquett.¹⁴

IV.EDUCATIONAL ETHICS

Education is also a fundamental process of human life. Therefore, in education has a very important and effective role. In order to be a good human, ethics should be placed as a course in educational system.

In general sense, education is any act or experience that has a formative effect on the mind, character or physical ability of an individual. Etymologically, the word education is derived from the Latin "Educo" which means educate, train. Education is a process of learning and acquiring information. It means teaching and learning. Education affects on human mind, character and Physical abilities. The history of education begins with the human history itself. Education is also a way to become civilized human individuals and it maximizes human potential. Culture and cultural heritage can be transmitted by education, because the main occupation of man is to pass knowledge, skills and attitude from one generation to other.

Today's educational theories are based on the philosophies of these philosophers. Plato who was founder of Idealism, claimed that the aim of education was to develop individual's abilities to better serve society. He also was the founder of Academy, the first University of the world. For him both men and women had the right to have education. He claimed that there were different stages of education. According to him, education was a key element for a society.

Why ethics is important and why ethics should be taught in school and university? What kind of ethics should be taught in school? Ethics education can be divided into three stage:

1. Ethics education in family.
2. Ethics education in school.
3. Ethics education in university.

In family , ethics education should focus on descriptive facts. Children observe their parents' (role models) ethical behaviours and they learn social facts about ethical behaviour.

In school, students learn what is right and what is wrong. This is a value education or character education . In educational systems, generally ethics is associated with religion. Therefore instead of ethics course students take religious course. However, students should learn values clarification, and making ethical decision. In addition , school fosters to students became trustful, responsible, and just person. Ethics in school can benefit to this.

Gardelli, Alerby and Perssons present three arguments about why ethics should be taught in schools. These arguments Are socialization argument, the quality of life argument and the tool arguments. According to socialization argument school should help students to became good citizen. To do this ethics is necessary in school.

In university, ethics should be professional ethics. Only some students can take ethics course related to their professions in universities, because in universities ethics does not give as a course in all departments. This kind of ethical educations provides students to realize what is right, make good decisions about ethical issues in their professions. In addition, students learn evaluate different moral stand points.¹⁵

V.BUSINESS ETHICS

Business ethics (also known as corporate ethics) is a form of applied ethics or professional ethics that examines ethical principles and moral or ethical problems that arise in a business environment. It applies to all aspects of business conduct and is relevant to the conduct of individuals and entire organization.¹⁶ These ethics originate from individuals organization statements or from the legal system. These norms, values ethical, and unethical practices are what is used to guide business. They help those businesses maintain a better connection with their stakeholders.¹⁷

Business ethics refers to contemporary organization standards, principles, sets of values and norms that govern the actions and behaviour of an individual in the business organization. Business ethics have two dimensions, normative or descriptive. As a corporate practice and a career specialization, the field is primarily normative. Academics attempting to understand business behavior empty descriptive methods. The range and quantity of bussiness ethical issues reflects the interaction of profit-maximizing behavior with non-economic concerns. Adam Smith said," People of the some trade seldom meet together, even for merriment and diversion, but the

conversation ends in a conspiracy against the public or in some contrivance to raise prices.¹⁸ Governments use laws and regulations to point business, behaviour in what they perceive to be beneficial directions. Ethics implicitly regulates areas and details of behavior that lie beyond governmental control. The emergence of large corporation with limited relationship and sensitivity to the communities in which they operate accelerated the development of formal ethics regimes.¹⁹

Maintaining an ethical status is the responsibility of the manager of the business. According to the journal of business ethics "Managing ethical behavior is one of the most pervasive and complex problems facing business organizations today."²⁰

VI. INTERNATIONAL ETHICS

International ethics is an area of international relations theory which concerns the extent and scope of ethical obligations between states in an era of globalization. Schools of thought include cosmopolitanism and antic cosmopolitanism.²¹ Realism, Liberalism and marxism are ethical traditions that conceptually address moral issues in international relations.

Realism's position is that ethics are secondary or inapplicable to the affairs of international politics and believes in the primacy of self-interest over moral principle. The pursuit of self-interest by states is viewed as a right, or duty, making it a principle for realists to uphold.²² From their standpoint, the international environment is perpetually anarchic and competitive over resources.

There is no overarching authority over states, without a superior power to enforce order, ethics do not sustain in international affairs out of necessity, "international conditions compel states to defend their interests by frequently immoral means, and this compulsion of self defense dissolves moral duties."²³ It would be considered unethical by the principle of pursuing self-interest, for a state to compromise its goal for power and security.

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³ Royal Institute of British Architects- Code of Professional Conduct 2013

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⁷ Definition from case, *Paston v County of Alameda* 1953

⁸ Beauchamp. I., Principles of Biomedical Ethics, 2013 p7

⁹ Weisberg, Medical ethics made easy professional case management 2016, p88-94

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- ²² Nardin and Mapel, Traditions of International ethics (cambridge studies in International Relation) Ch 4
- ²³ Nardin and Mapel, Traditions of International ethics (cambridge studies in International Relation) Ch 4