

WRAP Exams · wrapexams.com

Prelims PYQ, Mains model answers, and copy evaluation. Write to the desk for this paper, a doubt, or the AI waitlist.

ask@wrapexams.com · +91 85951 84903 · wrapexams.com

Q5

Law and ethics are considered to be the two tools for controlling human conduct so as to make it conducive to civilized social existence. (a) Discuss how they achieve this objective. (b) Giving examples, show how the two differ in their approaches.

UPSC Civil Services Mains 2016 · GS IV · 12 marks · Ethics and Human Interface

Ethics and Human Interface: Essence, determinants and consequences of Ethics in-human actions; dimensions of ethics; ethics - in private and public relationships. Human Values - lessons from the lives and teachings of great leaders, reformers and administrators; role of family, society and educational institutions in inculcating values.

Core demand of the question

- Law and ethics are considered to be the two tools for controlling human conduct so as to make it conducive to civilized social existence. (a) Discuss how they achieve this objective. (b) Giving examples, show how the two differ in their approaches

Revision summary

Law and ethics both steer people toward a liveable common life.

Law works by public rules, procedure and sanctions; ethics works by conscience formed in family, faith and profession.

Law is external, provable and minimum; ethics is internal, often stricter, and covers motive and humiliation that no clause names.

Examples include tax, dowry, environment, hate rumours and medical billing.

When they clash, use lawful dissent, not a private exemption from the statute.

Introduction

Civilised life needs people who do not rob, humiliate or poison the commons. Law does this from outside with a known rule and a sanction. Ethics does it from inside with a standard of right that can operate when no inspector is watching. They work together and they are not the same tool.

Body**(a) How law and ethics civilise conduct**

- Law states a public rule, attaches a penalty or a remedy, and names a court or an officer. Fear of sanction and hope of protection channel behaviour into a predictable path.
- Criminal law deters assault and theft. Civil law makes contracts and property reliable. Constitutional law limits the State itself, which is also a condition of civilisation.
- Procedure - hearing, evidence, appeal - stops private revenge from being the only justice.
- **Ethics teaches why the rule is worth following even in the dark:** honesty, non-violence, fidelity, and respect for persons.

- Family, school, faith and profession form conscience so that most files never need a policeman.
- **Together they produce a surplus of order:** law catches the outlier; ethics keeps the average person from becoming the outlier.
- When ethics is strong, law can be light. When ethics collapses, law multiplies and still fails, because every counter needs a camera.
- **Example of joint work:** tax. The Income-tax Act punishes evasion; civic ethics treats tax as the price of roads and vaccines.

(b) How their approaches differ, with examples

- **Source:** law is posited by a competent authority. Ethics may come from reason, faith, custom or a professional oath. A custom of dowry can be ethical poison and still need the **Dowry Prohibition Act, 1961** to name it a crime.
- **Scope:** law covers what can be proved and enforced. Ethics covers inner motive, delay-as-cruelty, and humiliation that no clause lists. An officer can obey every section and still sneer a widow out of a pension line.
- **Sanction:** law uses fine, jail, injunction, dismissal. Ethics uses guilt, shame, honour, and professional ostracism. A journalist who invents a quote may face defamation law and, separately, a lost name.
- **Change:** law changes by amendment and judgment. Ethics can lead law (**Gandhi's** satyagraha against unjust law) or lag behind law (social boycott despite the **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989**).
- **Uniformity:** law in a republic aims at one public rule. Ethics can be plural; civilisation then needs a constitutional ethic that protects minorities from a majority's "morals".
- **Example - environment:** the **Environment (Protection) Act, 1986** can close a plant. Ethics asks the engineer to refuse a secret discharge before the inspector arrives.
- **Example - speech:** hate-speech provisions punish incitement. Ethics asks a user not to forward a rumour that is merely cruel, even if it is not yet a charge sheet.
- **Example - medicine:** the Indian Penal Code punished rash negligence; medical ethics also forbids a needless test to raise a bill.
- **Example - charity:** law may not force you to donate. Ethics may still call indifference to a famine a failure of humanity.
- **Approach in one line:** law is external, general, enforceable and minimum. Ethics is internal, often stricter, and aims at the good person, not only the safe subject.

Working rule for public office

- Keep the law as the floor you never undercut.
- Keep ethics as the reason you do not hunt for loopholes or use delay as a weapon.
- Where they clash - an unjust order - record dissent, use lawful channels, and do not pretend that "ethics" means a private raid.

Flow diagram

Civilised conduct -> Law external sanction
Civilised conduct -> Ethics inner standard
Law external sanction -> Enforceable minimum
Ethics inner standard -> Conscience and character
Enforceable minimum -> Public office
Conscience and character -> Public office

Conclusion

Law civilises by public rules and sanctions; ethics civilises by conscience and character. Law is the minimum that can be enforced; ethics is often the higher, inner standard. A civilised society needs both, and a civil servant must not treat a loophole as a virtue.

Facts & figures

Dowry Prohibition Act, 1961

A statute that criminalises a social practice which custom once treated as normal; law leading a lagging ethic.

Environment (Protection) Act, 1986

Umbrella environmental statute; the legal floor beside an engineer's duty not to hide a discharge.

Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989

Criminal law against caste violence and humiliation where social ethics has often failed the victim.

Article 13, Constitution of India

Laws inconsistent with fundamental rights are void; even posited law is under a higher public ethic of rights.

Medical ethics versus criminal negligence

Professional codes forbid greedy or cruel practice; criminal law steps in when rashness or fraud can be proved.

WRAP Exams · Write. Read. Analyse. Practice. · <https://wrapexams.com/upsc/mains-answers/gs-4/2016/law-and-ethics-are-considered-to-be-the-two-tools-for-controlling-human-conduct-so-as-to-make-it-conducive-to-civilized-social-existence-a-discuss-how-they-achieve-this-objective-b-giving-examples-show-how-the-two-differ/> · ask@wrapexams.com · wrapexams.com