



Mains Practice Question

Q. Is conscience a more reliable guide to ethical decision making as compared to laws, rules, and regulations? Justify your arguments with suitable examples. (150 Words)

24 Feb, 2022 GS Paper 4 Theoretical Questions

Approach

- Define conscience and potential conflict that could arise between law and conscience
- Along with examples explain when conscience should be a guide in decision making and how in democratic setup it could not be solely relied upon
- Conclude with a balanced approach in decision making with reliance on constitutional morality

Answer

Conscience is a person's moral sense of right and wrong which acts as a guide or compass to one's behavior. Through our individual conscience, we become aware of our deeply held moral principles and are motivated to act upon them. For an individual in public service ethical dilemmas arise when prevalent laws and conscience are in conflict. Such dilemmas pose a doubt whether different forms of laws and our conscience are mutually regulative or not?

In a political system based on majoritarianism and undemocratic principles, people have a moral obligation to violate unjust rules and regulations. As Mahatma Gandhi said, "In matters of conscience, the laws of the majority has no place". When he was in South Africa he started Civil disobedience against the laws disenfranchising Indians there. After returning to India, he launched satyagraha against the 'Tinkathia' system in Champaran. Similarly, in the United States Rosa Parks refused to give a bus seat to a white man- as mandated by rules and her audacious act instigated the Civil Rights Movement. These instances show that there are unjust laws as there are unjust men and decisions on the basis of conscience are ethically justified in a discriminatory social system.

However, in a representative democracy where all individuals are politically equal with 'one man, one vote, one value', rules, laws, and regulations reflect the 'general will' of the people. In democracies, legislations are rooted in sacrosanct constitutional principles and emerge after long deliberations. Thus, solely our personal conscience can not be a reliable source for ethical decisions in case of a conflict. Although for an ethically sound person such conflicts are a rarity.

In the Indian democratic setup, public administrators are bestowed with adequate discretionary powers for the exercise of their conscience on a situational basis. But simultaneously they are also expected to comply with rules if there exists one. Maintaining a balance between rigid laws and subjective moral conscience in ethical decision making could be achieved by imbibing constitutional morality.

