



## Mains Practice Question

**Q.** Distinguish between laws and rules. Discuss the role of ethics in formulating them. (UPSC Mains GS-4 2020)

17 Feb, 2021 GS Paper 4 Theoretical Questions

### Introduction

Ethics examines the criteria for judging human actions as right or wrong. However, moral philosophers have identified laws, rules, regulations, and conscience as important sources that guide human ethical conduct.

Laws and rules may seem like overlapping terms, but there are some differences on which distinction can be made between the two.

### Body

#### Difference Between Law & Rules

| Rules   | Law   |
|---|---|
| <ul style="list-style-type: none"><li>Rules generally focus on or relate to individual good.</li></ul>  | <ul style="list-style-type: none"><li>Laws seek to increase public good and serve the public interests.</li></ul>   |
| <ul style="list-style-type: none"><li>Rules can have both administrative and social connotations.</li><li>They can be set by individuals, or by organizations, or by the head of a family.</li></ul>  | <ul style="list-style-type: none"><li>Laws have a political connotation.</li><li>They can be enacted only by those who exercise sovereignty or the lawfully constituted government.</li></ul>           |
| <ul style="list-style-type: none"><li>Rules prescribed, for example, in official codes apply to government servants even when they are abroad.</li><li>Similarly, rules which people accept as part of their religious order, apply to them even outside the country.</li></ul> | <ul style="list-style-type: none"><li>The laws of a nation operate within its territorial boundaries.</li><li>Citizens when abroad are not governed for most purposes by their national laws.</li></ul> |
| <ul style="list-style-type: none"><li>Rules are more flexible and have lighter consequences when broken.</li></ul>  | <ul style="list-style-type: none"><li>Laws are inflexible and carry stiff penalties including imprisonment, and in some cases, death.</li></ul>   |

#### Role of Ethics in Formulating Laws & Rules

- Ethics books as a general rule of right living; especially such a rule or group of rules conceived as universal and unchanging. In this context, ethics form the basis of both laws and rules.
- However, many times the laws and rules may not be ethical. This may be because of the following reasons:
  - The scope of the law and rules is limited, but ethical action may go beyond that scope. This is because laws and rules can't incorporate intangible human aspects and values that are very subjective.

- Many times laws and rules are followed in the letter but not in spirit.
- Further, law and rules may change with time but remain universal and unchanging.

## Conclusion

In modern societies, the systems of law and rules are closely related to ethics in that they determine and enforce definite rights and duties. However, Laws and rules can be neutral or they can be used to endorse ethics.

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