Admn Discretion : Ethical Dilemma

Laws : _objectively_ how admn actions are to be performed.

"Ensure that public Int is upheld"

Objective, admn action : legal & Adequate.

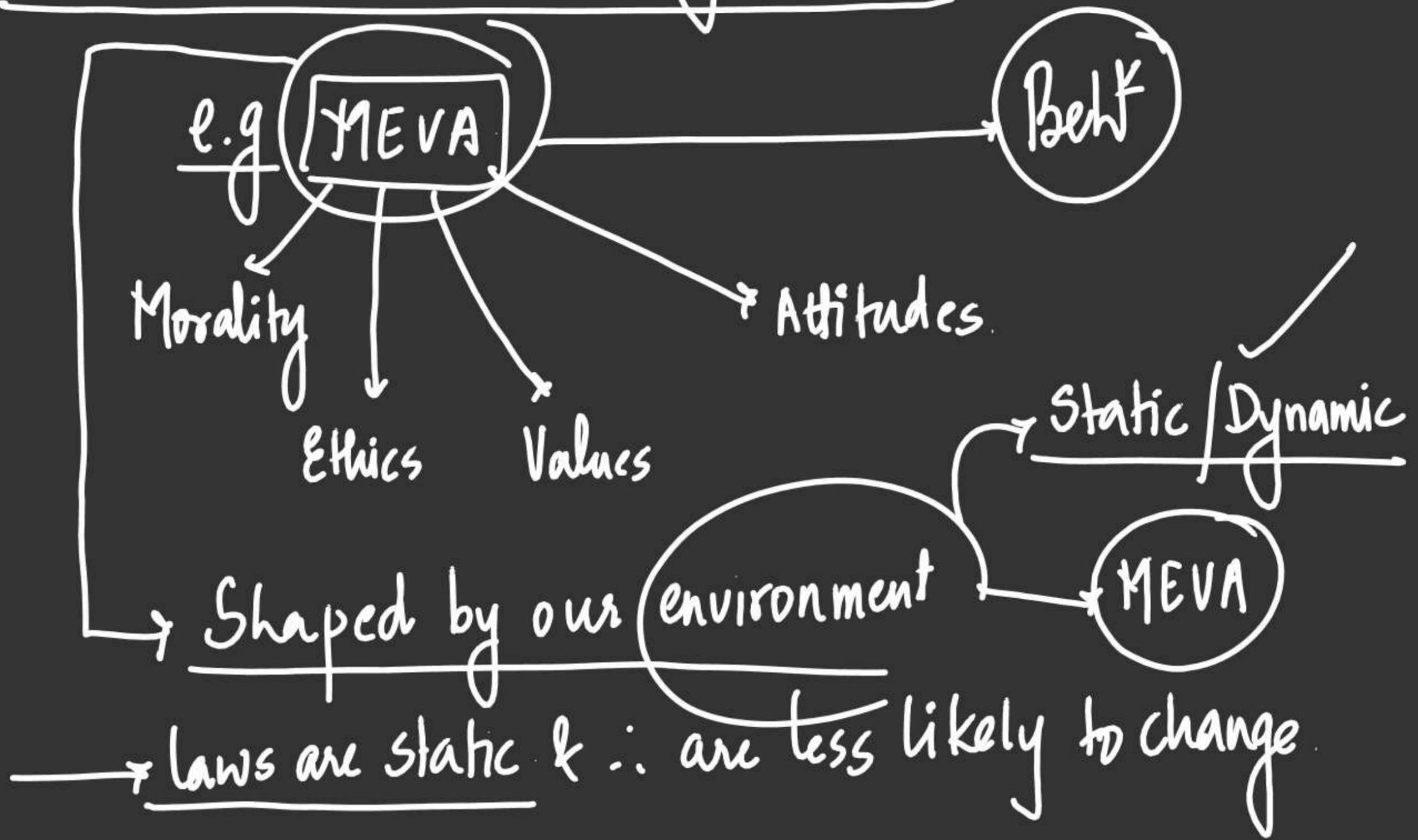Safeguarding citizens from any willful or arbitrary misuse of power.

Without any proper reasons.

Maanmarzi   e.g COVID-19 lockdown

arbitarary misuse

laws are static & lack dynamism.

e.g MEVA ──────────────→ Bel͞f

MEVA:
- Morality
- Ethics
- Values
- Attitudes

Static / Dynamic

Shaped by our (environment) ──→ MEVA

laws are static & ∴ are less likely to change.

e.g Beh^v towards Environment / animals.

Laws provide only a | moral minimum. |

| Moral min^m | : laws tells us mostly what should, not be
done, but not what what should, be
done. ⟲←moral min

e.g <u>Swami Vivekananda</u> : | Non - Individuality |
          ↳morality : (What I do for others), because
When I serve others I serve my self.

Retro-spective amendment

- → **Art 20** : Retrospective amendment of criminal laws are not allowed.

- → civil laws can be amended from a previous date.

Death penelty / capital punishment.

→ Rare of the rarest cases.

→ e.g Nirbhaya Case.

Conscience : As a source of Ethical
guidance.

"Inner voice"

Moral Judgements

Aristotle. :

→ Humans: Decision which are moral.

Plants/Tree
↳ Grow

Animals
↳ Locomotion : move

How does conscience help in moral actions?

(i) **Moral courage:** e.g. Raja Ram Mohan Roy

→ Against social norms & prohibit the (practise of sati.)

→ Helps a civil savant take a moral decision despite the decision may not be a populist decision

→ social reformers.

(ii) **Avoiding Group thinking / challenging**

→ Conformity with popular [Group think]
opinion

↳ eg (SBA) : Toilet in the house was a social Taboo.

(a) Ensuring an Ind^v has the capability to take Rational decisions

(iii) Holding oneself accountable:

└► <u>conscience</u> : can allow

an Ind^{v}/CS to be accountable

└► <u>CS</u> : Public Money / for the people ∴ accountability is mandatory