

1

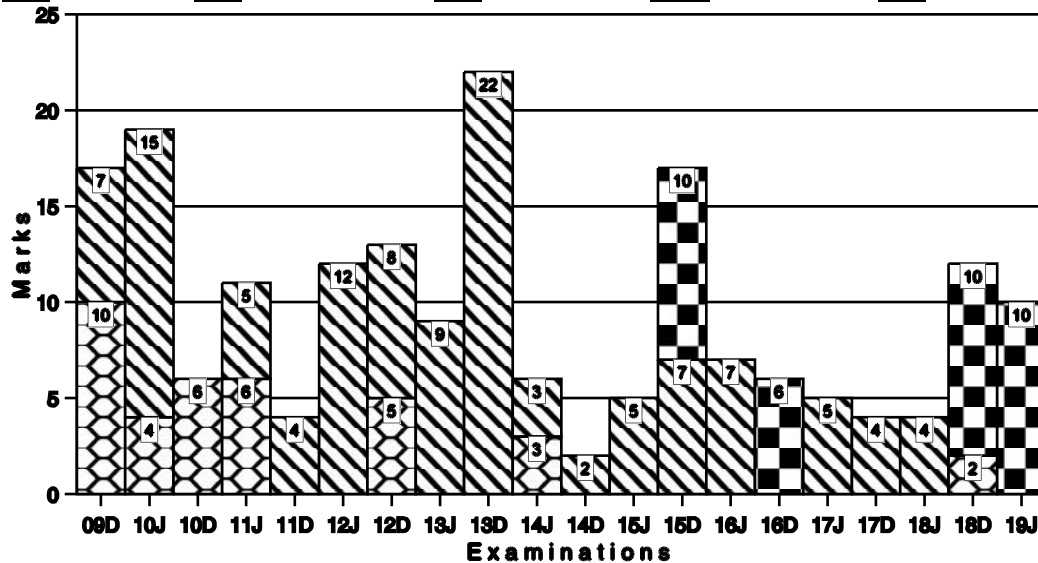
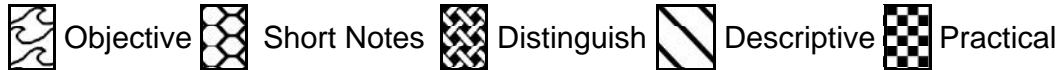
INTRODUCTION: ETHICS AND GOVERNANCE

THIS CHAPTER INCLUDES

- | | |
|---|--|
| <ul style="list-style-type: none"> • Introduction • Governance through Inner consciousness • Ethics • Business Ethics | <ul style="list-style-type: none"> • Concept of Business Ethics • Ethics Philosophies • Scope of Business Ethics • Advantages of Business Ethics |
|---|--|

Marks of Objective, Short Notes, Distinguish Between, Descriptive & Practical Questions

Legend



For detailed analysis Login at www.scannerclasses.com for registration and password see first page of this book.

CHAPTER AT A GLANCE

Topic	Important Highlight
Virtue theory	Virtue theory of ethics is a very old concept existing since the time of Aristotle (384BC), and there are a variety of theories that fall under the category of virtue theory. Virtue theory aims to offer an account of the characteristics one must have to be considered virtuous.
Theory of relativism	Theory of Relativism promotes the idea that some elements or aspects of experience or culture are relative to, i.e., dependent on, other elements or aspects.
Utilitarianism	It is the idea that the moral worth of an action is solely determined by its contribution to overall utility.
Deontological ethics or deontology	Deontological ethics or deontology (Greek: (deon) meaning 'obligation' or 'duty') is an approach to ethics that focuses on the rightness or wrongness of actions themselves, as opposed to the rightness or wrongness of the consequences of those actions.

SHORT NOTES

2009 - June [7] (b) Write short note on the following:

- (iii) Deontological ethics.

(4 marks)

Answer :

Deontological Ethics is an approach to ethics that holds that acts are inherently good or evil, regardless of the consequences of the acts. A central theme among deontological theorists is that we have a duty to do those things that are inherently good ("Truth - telling" for example); while the ends or consequences of our actions are important, our obligation or duty is to take the right action, even if the consequences of a given act may be bad.

It is sometimes described as "duty" or "obligation" based ethics, because deontologists believe that ethical rules "bind you to your duty".

— Space to write important points for revision —

2009 - Dec [5] (b) Write notes on the following :

- (i) Enlightened-egoism
(ii) Ethics in compliance

(5 marks each)

Answer :

(i) Enlightened – egoism

This model takes into account harms, benefits and rights. Therefore under this model an action is morally correct if it increases benefits for the individual in a way that does not intentionally hurt other and if these benefits are believed to counterbalance any unintentional harms that ensue. For example, a company provides scholarships for education to needy students with a condition that the beneficiary is required to compulsorily work for the company for a period of 5 years. Although the company is providing the scholarship benefits to the needy students but ultimately it is in the company's self interest.

(ii) Ethics in compliance

Compliance is about obeying and adhering to rules and authority. The motivation for being compliant could be to do the right thing out of the fear of being caught rather than a desire to be abiding by the law. An

ethical climate in an organization ensures that compliance with law is fueled by a desire to abide by the laws. Organizations that value high ethics comply with the laws not only in letter but go beyond what is stipulated or expected of them.

—— Space to write important points for revision ———

2010 - June [5] (b) Write a note on the following:

(i) Ethics in finance

(4 marks)

Answer :

Ethics in Finance :

The ethical issues in finance that companies and employees are confronted with, include:-

1. In accounting-window dressing, misleading financial analysis.
2. Related party transactions not at arms length.
3. Insider trading, securities fraud leading to manipulation of the financial markets.
4. Executive compensation.
5. Bribery, kickbacks, over billing of expenses, facilitation payments.

—— Space to write important points for revision ———

2010 - Dec [5] (b) Write short notes on the following :

(iii) Deontological ethics

(3 marks)

(iv) Ethics in marketing.

(3 marks)

Answer :

(iii) Deontological ethical theory :

The word 'deontological' is derived from the Greek word 'deon' meaning 'duty' or 'obligation'. Deontological theories focus on certain fundamental duties that we have as human being, such as not committing murder or theft.

The duties stress that rightness of an act is derived from some feature of the action itself, with reference to its consequences.

The duties uphold by deontological theory may be classified under three headings :

(a) Duties to God, including honouring him and praying to him.

- (b) Duties to oneself includes preserving over life and sharing happiness.
- (c) Duties to other including family duties, social duties and political duties.

(iv) Ethics in marketing:

Marketing ethics is the area of applied ethics which deals with the moral principles behind the operation and regulation of marketing. The ethical issues confronted in this area include :

- (1) Pricing : price fixing, price discrimination, price skimming.
- (2) Misleading advertisements
- (3) Contents of advertisements
- (4) Anti-competitive practices like manipulation of supply, exclusive dealing arrangements, tying arrangements etc.
- (5) Black markets, grey markets.

—— Space to write important points for revision ———

2011 - June [5] (b) Write short notes on the following :

- (i) Ethics in production **(3 marks)**
- (iii) Virtue ethics theory **(3 marks)**

Answer :

(i) Ethics in production

This area of business ethics deals with the duties of a company to ensure that products and production processes do not cause harm. Some of the more acute dilemmas in this area arises out of the fact that there is usually a degree of danger in any product or production process and it is difficult to define a degree of permissibility, or the degree of permissibility may depend on the changing state of preventive technologies or changing social perceptions of acceptable risk.

- (1) Defective, addictive and inherently dangerous products and
- (2) Ethical relations between the company and the environment include pollution, environmental ethics, carbon emissions trading.
- (3) Ethical problem arising out of new technologies for e.g. Genetically modified food.
- (4) Product testing ethics.

The most systematic approach to fostering ethical behaviour is to build corporate cultures that link ethical standards and business practices.

(iii) Please refer 2009 - Dec [7] (c) (i) on page no. 23

— Space to write important points for revision —

2012 - Dec [7] (a) Write a qualitative note on 'ethics philosophies'.

(5 marks)

Answer:

Please refer 2010 - June [7] (a) on page no. 24

— Space to write important points for revision —

2014 - June [2] Write short note on the following:

(c) Ethics in human resources.

(3 marks)

Answer:

Please refer 2012 - June [5] (b) (iii) on page no. 27

— Space to write important points for revision —

2018 - Dec [1] (b) Write short note on the following:

(iv) Theory of Relativism

(2 marks)

Theory of Relativism:

Theory of Relativism promotes the idea that some elements or aspects of experience or culture are relative to i.e. dependent on, other elements or aspects. It holds that there are no absolute truths in ethics and that what is morally right or wrong varies from person to person or from society to society.

The term often refers to truth relativism, which is the doctrine that there is no absolute truth, i.e. that truth is always relative to some particular frame of reference, such as a society or a culture. For example, killing animals for sport (like bull fighting) could be right in one culture and wrong in another.

— Space to write important points for revision —

DESCRIPTIVE QUESTIONS

2009 - June [5] (a) Explain the concept of 'business ethics'. **(2 marks)**

Answer :

The Concept of Business Ethics

Business ethics is a form of applied ethics. In broad sense ethics in business is simply the application of moral or ethical norms to business. The term ethics has its origin from the Greek word “ethos”, which means character or custom the distinguishing character, sentiment, moral nature, or guiding beliefs of a person, group, or institution. The synonyms of ethics as per Collins Thesaurus are Conscience, moral code, morality, moral philosophy, moral values, principles, rules of conduct, standards.

Business ethics comprises the principles and standards that guide behaviour in the conduct of business. Business must balance their desire to maximize profits against the needs of the stakeholders. Maintaining this balance often requires tradeoffs. To address these unique aspects of business, rules articulated and implicit, are developed to guide the business to earn profits without harming individuals or society as a whole.

—— Space to write important points for revision ———

2009 - June [6] (a) “Ethics is the first line of defence against corruption, while law enforcement is remedial and reactive. However, both fail to achieve the desired aim in the Indian set-up.” Do you agree? Give reasons in support of your answer. **(7 marks)**

Answer :

It is absolutely correct to say that ethics is the first line of defence against corruption. What prevents corruption in the first place is ethics. The enforcement of law is a reaction to the occurrence of the corruption. While the law can only lay down the do's and don'ts and the consequences of doing or not doing something. The compliance to law in letter and spirit can be achieved only through ethical practices being followed.

An act may be perfectly legal but totally unethical. Therefore, the statement law enforcement is remedial and reactive is also true.

However, ethics is not absolute and is open to the influence of time, place and situation. Certain unethical practice on account of the fact that is widely prevalent is apparently justified.

The following are some of the factors that have contributed to the prevalence of corruption in India:

- (i) **Cultural ethos:** Putting a premium on materialism, profiteering, power play and casual attitude for ethical values..... Myopic concern overriding long-term considerations and values.
- (ii) **Institutional failures:** Procedural rigmardes, in-built obstacles, bureaucratic red-tapism etc.
- (iii) **Poor enforcement of law:** delay in justice.
- (iv) **Erosion of values in politicians, entrepreneurs, political lobbying etc.**

— Space to write important points for revision —

2009 - Dec [5] (a) "Ethics in business is simply the application of moral or ethical norms to business." Explain and discuss the advantages of business ethics. **(5 marks)**

Answer :

Business ethics is a form of applied ethics. In broad sense ethics in business is simply the application of moral or ethical norms to business. Ethics is a set of principles or standard to human conduct that govern the behaviour of individuals or organization using these ethical standard, a person or a group of person or an organizations regulate their behaviour to distinguish between what is right and what is wrong as perceived by others.

The advantages of business ethics include:

1. Attracting and retaining talent

People aspire to join organizations that have high ethical values. Companies are able to attract the best talent and an ethical company that is dedicated to taking care of its employees will be rewarded with employees being equally dedicated in taking care of the organization. Ethical organization create an environment that is trust worthy, making employees willing to rely, take decisions and actions of the co-employees.

In such a work environment, employee can expect to be treated with respect and consideration for their colleagues and superiors. It cultivates strong team work and productivity and support employee growth.

2. Investor Loyalty

Investors are concerned about ethics, social responsibility and reputation of the company in which they invest. Investors are becoming more and more aware that an ethical climate provides a foundation for efficiency, productivity and profits. Relationship with any stakeholder, including investors based on dependability trust and commitment results in sustained loyalty.

3. Customers Satisfaction

Customer satisfaction is a vital factor in successful business strategy. Repeat purchases /orders and enduring relationship of mutual respect is essential for the success of the company. The name of a company should evoke trust and respect among customers for enduring success. This is achieved by a company that adopts ethical practices. When a company because of its belief in high ethics is perceived as such any crisis or mishaps along the way is tolerated by the customers as a minor aberration such companies are also guided by their ethics to survive critical situation. Preferred values are identified and aligned with those values. An organization with a strong ethical environment places its customer's interest as foremost, Ethical conduct towards customers builds a strong competitive position. It promotes a strong public image.

—— Space to write important points for revision ——

2009 - Dec [7] (c) Explain briefly the following :

(i) Virtue Ethics Theory

(2 marks)

Answer :

Virtue Ethics Theory is a branch of moral philosophy that emphasizes character, rather than rules or consequences, as the key element of ethical thinking. An example of this when a person of good standing is found possessing a valuable article belonging to someone else it will be presumed that the article was loaned to him or kept with him for safekeeping , whereas if it were in the possession of a person of doubtful or dubious character it would be presumed that he has stolen the article.

—— Space to write important points for revision ——

2010 - June [6] (b) "A commitment by corporate management to follow an ethical code of conduct confers a variety of benefits". What are these benefits? **(5 marks)**

Answer :

Advantages of Business Ethics :

Adherence to a Code of Conduct offers the following advantages :

1. Honest and ethical conduct, including the ethical handling of actual or apparent conflicts of interest between personal and professional relationships;
2. Full, fair, accurate, timely, and understandable disclosure in reports and documents that a company files with, or submits to the commission and in other public communications made by the company;
3. Compliance with applicable governmental laws, rules and regulations;
4. The prompt internal reporting of violations of the code to an appropriate person or persons identified in the code; and
5. Accountability for adherence to the code.

— Space to write important points for revision —

2010 - June [7] (a) Elaborate the various 'ethics philosophies'. **(5 marks)**

(b) "An organisation's structure is important to the study of business ethics". Comment. **(5 marks)**

Answer :

(a) The following are some of the ethics philosophies :

1. **Deontological ethical theory:** The word 'deontological' is derived from the Greek word "Deon" meaning 'duty' or 'obligation'. Deontological theories focus on certain fundamental duties that we have as human being, such as not committing murder or theft.

The duties stress that rightness of an act is derived from some feature of the action itself, with reference to its consequences.

The duties upheld by deontological theory may be classified under three heading :

- (a) Duties to God, including honouring him and praying to him.
- (b) Duties to Oneself includes preserving ones life and sharing happiness.
- (c) Duties to others, including family duties, social duties and political duties.

2. **Teleology:** (Greek : telos : end, purpose) Is the philosophical study of design and purpose. A teleological school of thought is one that holds all things to be designed for or directed toward a final result, that there is an inherent purpose or final cause for all that exists.
 3. **Utilitarianism:** The idea that the moral worth of an action is solely determined by its contribution to overall utility, that is, its contribution to happiness or pleasure as summed among all persons. It can be described by the phrase "the greatest good for the greatest number". For example, one may be tempted to steal from a rich wastrel to give to a starving family.
 4. **Relativism:** The idea that some elements or aspects of experience or culture are relative to i.e., dependent on, other elements or aspects. The term often refers to truth relativism, which is the doctrine that there are no absolute truths, i.e., that truth is always relative to some particular frame of reference, such as a language or a culture.
 5. **Justice:** The concept of moral rightness in action or attitude, is closely linked to fairness. A conception of justice is one of the key features of society.
- (b) An organization's structure is important to the study of business ethics. In a centralized organization, decision-making authority is concentrated in the hands of top-level managers, and little authority is delegated to lower levels. Responsibility, both internal and external, rests with top management. This structure is especially suited for organizations that make high-risk decisions and whose lower-level managers are not highly skilled in decision making.
- Because of their top-down approach and the distance between employee and decision maker, centralized organizational structures can lead to unethical acts. If the centralized organization is very bureaucratic, employees may behave according to "the letter of the law" rather than the spirit.
- In a decentralized organization, decision -making authority is delegated as far down the chain of command as possible, such organizations have relatively few formal rules, and coordination and

control are usually informal and personal. They focus instead on increasing the flow of information. As a result, one of the main strengths of decentralized organizations is their adaptability and early recognition of external change.

—— Space to write important points for revision ———

2011 - June [7] (c) How do good business ethics practices help in attracting and retaining talent in the organisation and achieve customer satisfaction?

(5 marks)

Answer :

Retaining Talent

People aspire to join organization with high ethical values. The ethical climate matter to the employees. Ethical organization create an environment that is trustworthy, making employees willing to rely, take decisions and act on the decisions and actions of the co-employees. In such a work environment, employees can expect to be treated with respect and consideration by their colleagues and superior. It cultivates strong teamwork and productivity and support employee growth.

Retaining talented people is as big a challenge as getting them in the first place. Work is a means to an end for them, not an end in itself. The relationship employees have with their employer must be a mutual, win-win one, in which their loyalty should not be taken for granted. Talented people will invest their energy and talent only in organisations with values and beliefs that match their own. In order to achieve this match, managers need to build cultures, compensation and benefits packages and career paths that reflected and foster certain shared values and believes.

Customer Satisfaction

Customer satisfaction is a vital factor in successful business strategy. Repeat purchases/orders and enduring relationship of mutual respect is essential for the success of the company. The name of a company should evoke trust and respect among customers for enduring success. This is achieved by a company that adopts ethical practices, when a company because of its belief in high ethics is perceived as such, any crisis or mishaps along the way is tolerated by the customers as a minor aberration.

Such companies are also guided by their ethics to survive a critical situation, preferred values are identified ensuring that organizational behaviours are aligned with those values. An organization with a strong ethical environment places its customer's interest as foremost. Ethical conduct towards customers builds a strong competitive position. It promotes a strong public image.

— Space to write important points for revision —

2011 - Dec [5] (b) Discuss the concept of 'ethics philosophies'. (4 marks)

Answer :

Please refer 2010 - June [7] (a) on page no. 24

— Space to write important points for revision —

2012 - June [5] (a) "Companies displaying a clear commitment to ethical conduct consistently outperform companies that do not display ethical conduct." Discuss this statement highlighting the advantages of business ethics. (6 marks)

Answer :

Please refer 2009 - Dec [5] (a) on page no. 22

— Space to write important points for revision —

2012 - June [5] (b) Discuss briefly the following:

(iii) Ethics in human resources **(3 marks)**

(iv) Enlightened egoism. **(3 marks)**

Answer :

(iii) Ethics in Human Resources

Human resource management (HRM) plays a decisive role in introducing and implementing ethics. Ethics should be a pivotal issue for HR specialists. The ethics of HRM covers those ethical issues arising around the employer- employee relationship such as the rights and duties owed between employer and employee. The issues of ethics faced by HRM include:

1. Discrimination issues i.e. discrimination on the basis of age, gender, race, religion, disabilities, weight etc.

2. Sexual harassment
3. Affirmative action
4. Issues surrounding the representation of employees and the democratization of the work place, trade unionisation.
5. Issues affecting the privacy of the employer; whistle blowing.
6. Issues relating to the fairness of the employment contract and the balance of power between employer and employee.
7. Occupational safety and health.

(iv) Please refer 2009 - Dec [5] (b) (i) on page no. 17

— Space to write important points for revision —

2012 - Dec [5] (b) Discuss briefly the following:

- (iv) Ethics in compliance.

(3 marks)

Answer:

Please refer 2009 - Dec [5] (b) (ii) on page no. 17

— Space to write important points for revision —

2012 - Dec [6] (b) You are the Company Secretary of Innovative Products Ltd. The Board of directors desires to know the advantages of business ethics. Draft a note for consideration of the Board of directors. (5 marks)

Answer:

Please refer 2010 - June [6] (b) on page no. 24

— Space to write important points for revision —

2013 - June [5] (a) Bhagavad Gita teaches that “without being attached to the fruits of activities, one should act as a matter of duty, by working without attachment one attains the supreme.”

In the light of this statement, discuss various ethics philosophies.

(6 marks)

Answer:

Please refer 2010 - June [7] (a) on page no. 24

— Space to write important points for revision —

2013 - June [5] (b) Briefly discuss of the following:

- (iv) Ethics in finance.

(3 marks)

Answer:

Please refer 2010 - June [5] (b) (i) on page no. 18

— Space to write important points for revision —

2013 - Dec [5] (a) “It is now well recognised that the business ethics and financial performance of companies are interlinked.” Discuss this statement and highlight the benefits of business ethics.

(6 marks)

(b) Discuss briefly the following:

- (ii) Ethics in marketing

- (iii) Egoism

(3 marks each)

Answer:

(a) *Please refer 2010 - June [6] (b) on page no. 24*

(b) (ii) *Please refer 2010 - Dec [5] (b) (iv) on page no. 18*

(iii) Egoism:

Egoism derived from latin ego, “I” in philosophy, is an ethical theory holding that the good is based on the pursuit of self-interest. This model takes into account, harms, benefits and rights of a person's own welfare. Under this model an action is morally correct if it increases benefits for the individual in a way that does not intentionally hurt others, and if these benefits are believed to counterbalance any unintentional harms that ensure. For example, a company provides scholarships for education to needy students with a condition that the beneficiary is required to compulsorily work for the company for a period of 5 years. Although, the company's providing the scholarship benefits the needy students, but ultimately it is in the company's self interest.

— Space to write important points for revision —

2013 - Dec [6] (c) “Most of the ethical decisions have uncertain consequences.” Comment.

(5 marks)

Answer:

Ethical Decision Making have five major characteristics in uncertain consequences:

1. Most ethical decisions have extended consequences:

Management decision's actions and results have consequences that extend beyond their control and beyond the organisation into society.

2. Most ethical decisions have multiple alternative:

Simple yes or no choice do not adequately characterize the many alternatives that exist and that should be considered for decisions such as "should a manager pay a bribe"? and "should a factory pollute the air"?

3. Most ethical decisions have mixed outcomes:

As noted in the second point for alternative outcomes are not unambiguous, they have social benefits and costs as well as financial revenues and expenses associated with the ethical choices.

4. Most ethical decisions have uncertain consequences:

Unanticipated and unknown consequences can follow ethical choices.

5. Most ethical decisions have personal implications:

Such decisions can affect the lives and careers of the decision makers. Individuals costs and benefits in addition to financial and social ones, are associated with most alternatives in ethical decisions.

—— Space to write important points for revision ———

2013 - Dec [7] (c) "Sexual harassment at work place has been a matter of debate." Discuss this statement in the light of ethics in human resources.

(5 marks)

Answer:

The Statement is Correct.

Ethics in human resource is all about to have the transparent policies & practices in Human Resource Management and to avoid the most common areas causing ethical concern like favouritism in hiring, training and promotion; sexual harassment; sex discrimination in promotion etc.

As per the guidelines and norms laid down by the Hon'ble Supreme Court of India in Vishaka and Others Vs. State of Rajasthan and Others, it shall be

the duty of the employer or other responsible persons in work places or other institutions to prevent or deter the commission of acts of sexual harassment and to provide the procedures for the resolution, settlement or prosecution of acts, of sexual harassment by taking all steps required.

—— Space to write important points for revision ——

2014 - June [1] (b) Briefly comment on the following:

(i) Business ethics play a vital role for an organisation.

(3 marks)

Answer:

Business ethics play a vital role for an organisation

Business ethics comprises the principles and standards that guide behaviour in the conduct of business. Businesses must balance their desire to maximize profits against the needs of the stakeholders. Maintaining this balance often requires tradeoffs. To address these unique aspects of businesses, rules – articulated and implicit, are developed to guide the businesses to earn profits without harming individuals or society as a whole. The coverage of business ethics is very wide as it deals with norms relating to a company and its employees, suppliers, customers and neighbors, its fiduciary responsibility to its shareholders. It reflects the philosophy of business, one of whose aims is to determine the fundamental purposes of a company.

Business ethics stands for the saneness or purity of purpose that is upheld through carefully designed actual practices of a business enterprises. It is an embodiment of conscience concern towards execution of business processes in tune with the nobility of the purpose.

—— Space to write important points for revision ——

2014 - June [2] (b) “Instances of sexual harassment of women at workplace reflect on governance practices.” Do you agree with this statement? What steps have been taken by the government to prevent such instances?

[Old Syllabus] (6 marks)

Answer:

It is generally recognised that there are a number of benefits for corporations that adhere “to good corporate governance principles” and which have a “good culture”.

As a result of recent corporate collapses and corporate governance scandals around the world, a change of attitude has occurred with a much higher expectation being placed on corporations and lawyers alike.

The essence of good corporate governance is accountability. Good corporate governance provides the structure through which the objectives of an organisation are set and the means of attaining those objectives and monitoring performance are determined. An accepted best practice component of any corporate governance program must be workplace policies and procedures.

The mere preparation of policies and procedures, no matter how detailed or informative, by themselves will not be sufficient to protect corporations against legal liability.

In the first instance, the culture of a corporation will be all important. Is the culture of the corporation a good one? Is the work environment open, with an emphasis on disclosure and truthfulness? Does the culture have the attributes of transparency, compliance and acting ethically?

This compliance culture is not the exclusive role of those persons who prepare policies and procedures but is the role of everyone within the organisation.

If the culture of the organisation is not aligned to the policies and procedures of the organisation (and the goals of the organisation), then the policies and procedures will not be complied with and the goals will be harder if not impossible to achieve and this will inevitably lead to legal liability.

How seriously management, including legal counsel, take its policies and procedures has an enormous impact on the likelihood of a positive culture taking hold within an organisation.

One might ask oneself "Are we walking the talk?"

The answer to this question will speak volumes in relation to the operation of the corporate governance program of the organisation.

In order to protect an organisation from liability and in order to put themselves in a strong legal position, employers should have detailed policies on key issues including:

- sexual harassment;
- workplace bullying;

- equal opportunity and discrimination;
- e-mail and internet usage;
- employee code of conduct;
- alcohol and drug usage;
- privacy; and
- security.

The policies can be specific stand-alone policies or may be incorporated into other policies.

The policies should be carefully drafted, effectively communicated and enforced consistently. The application of sound and thorough policies will assist organisations in minimising undesirable and/or unlawful conduct by employees and to reduce successful claims before the courts and tribunals. A policy for example on sexual harassment and workplace bullying will be used as examples to indicate the corporate governance requirements for policies and how they can be best utilised.

Steps taken by Government to prevent Sexual Harassment:

1. Develop an anti-harassment policy.
2. Formation of Strict Law, Rules etc.
3. Promptly investigate and deal with all complaints of harassment.
4. Monitor and revise the policy and education/information programs on a regular basis to ensure that it is still effective for your workplace.

—— Space to write important points for revision ——

2014 - June [5] (a) Explain briefly the following:

- (i) Ethics in production
- (ii) Virtue ethics theory

[Old Syllabus] (3 marks each)

Answer:

- (i) ***Please refer 2011 - June [5] (b) (i) on page no. 19***
- (ii) ***Please refer 2009 - Dec [7] (c) (i) on page no. 23***

—— Space to write important points for revision ——

2014 - June [5] (b) “Businesses must balance their desire to maximise profits against the needs of the stakeholders.” In the light of this statement, discuss the various ethics philosophies. **[Old Syllabus] (6 marks)**

Answer:

Please refer 2010 - June [7] (a) on page no. 24

—— Space to write important points for revision ——

2014 - Dec [1] (b) Briefly comment on the following:

- (i) Utilitarianism contributes to happiness among all persons. **(2 marks)**

Answer:

Utilitarianism is an ethics of welfare. Business guided by utilitarian approach focuses on behaviours and their results, not on the means of such actions. It can be described by the phrase, “the greatest good for the greatest number.” The utilitarian approach prescribes ethical standards for managers in the areas of organisational goals, i.e., maximisation of profits and having efficiency which denotes optimum utilization of scarce resource.

Utilitarianism prescribes that the moral worth of an action is solely determined by its contribution to overall utility, that is, its contribution to the happiness and satisfaction of the greatest number. For example, one may be tempted to steal from a rich wastrel to give to a starving family. Hence, this approach is also referred as consequential approach. Utilitarianism is a general term for any view that holds that actions and policies should be evaluated on the basis of the benefits and costs they impose on the society. The policy which produces the greatest net benefit on lowest net costs is considered right.

—— Space to write important points for revision ——

2014 - Dec [5] (a) Explain briefly the following:

- (i) Teleological ethics. **[Old Syllabus] (3 marks)**

- (b)** “Ethics is the study of moral decisions that are made by us in the course of performance of our duties.” In the light of this statement, discuss the concept of business ethics and its advantages.

[Old Syllabus] (6 marks)

Answer:

- (a)(i) Teleological Ethics**, (derived from the Greek word ‘telos’ meaning end, purpose) is an ethical theory that holds that the ends or consequences of an act determine whether an act is good or evil.

Rightness of actions is determined solely by the good consequences. It is also known as consequential ethics.

Businessmen commonly think in terms of purposeful action as in, for example, management by objectives. Teleological analysis of business ethics leads to consideration of the full range of stakeholders in any business decision, including the management, the staff, the customers, the shareholders, the country, humanity and the environment.

- (b)** Business ethics is a form of applied ethics. In broad sense ethics in business is simply the application of moral or ethical norms to business. The term ethics has its origin from the Greek word “ethos”, which means character or custom – the distinguishing character, sentiment, moral nature or guiding beliefs of a person, group or institution. The synonyms of ethics as per Collins Thesaurus are – conscience, moral code, morality, moral philosophy, moral values, principles, rules of conduct, standards.

ADVANTAGES OF BUSINESS ETHICS

1. Attracting and retaining talent:

People aspire to join organizations that have high ethical values. Companies are able to attract the best talent and an ethical company that is dedicated to taking care of its employees will be rewarded with employees being equally dedicated in taking care of the organization. The ethical climate matter to the employees. Ethical organizations create an environment that is trustworthy, making employees willing to rely, take decisions and act on the decisions and actions of the co-employees.

2. Investor Loyalty:

Investors are concerned about ethics, social responsibility and reputation of the company in which they invest. Investors are becoming more and more aware that an ethical climate provides a foundation for efficiency, productivity and profits. Relationship with any stakeholder, including investors, based on dependability, trust and commitment results in sustained loyalty.

3. Customer satisfaction:

Customer satisfaction is a vital factor in successful business strategy. Repeat purchases/orders and enduring relationship of mutual respect is essential for the success of the company.

4. Regulators:

Regulators eye companies functioning ethically as responsible citizens. The regulator need not always monitor the functioning of the ethically sound company. The company earns profits and reputational gains if it acts within the confines of business ethics.

— Space to write important points for revision —

2015 - June [2] Elucidate the following:

(b) Ethics in finance.

(5 marks)

Answer:

Please refer 2010 - June [5] (b) (i) on page no. 18

— Space to write important points for revision —

2015 - Dec [1] (b) (iv) What do you understand by 'ethics in compliance'?

(2 marks)

Answer:

Please refer 2009 - Dec [5] (b) (ii) on page no. 17

— Space to write important points for revision —

2015 - Dec [1] (c) How academicians, legislators and professionals are joining hands to improve the corporate scenario throughout the affected world ?

(5 marks)

Answer:

Academicians, Legislators and Professionals are joining hands throughout the world to improve corporate scenario. World over, a consultative stakeholder centric approach is being adopted before introducing any new law or regulation. Companies are encouraged to be more self-governed and professionals are being tasked with ensuring the compliance of laws.

Various for profit and non-profit associations are working in order to ensure good corporate performance. The European Corporate Governance

Institute (ECGI), an International Scientific Non-Profit Association has been established to improve corporate governance through fostering independent scientific research and related activities. It provides a forum for debate and dialogue between academicians, legislators and practitioners, focusing on major corporate governance issues and thereby promoting best practice. Based upon impartial and objective research and the collective knowledge and wisdom of its members, it advises on the formulation of corporate governance policy and development of best practice and undertakes any other activity that will improve understanding and exercise of corporate governance. It acts as a focal point for academicians working on corporate governance in Europe and elsewhere, encouraging the interaction between the different disciplines such as Economics, Law, Finance and Management. The Institute disseminates research results and other relevant material. It draws on the expertise of scholars and brings from numerous countries and brings together a critical mass of expertise and interest to bear on this important subject.

—— Space to write important points for revision ———

2016 - June [1] (b) Briefly comment on the following statement:

- (i) Ethical conduct is in the long-term interest of business. **(2 marks)**

Answer:

Ethical conduct is in the long-term interests of business. A business enterprise that is honest and fair to its customers, employees and other stakeholders earns their trust and goodwill. It ultimately results in customer satisfaction, healthy competition, industrial growth and high earnings. Businesses must balance their desire to maximise profits against the requirements of stakeholders.

—— Space to write important points for revision ———

2016 - June [4] (a) “In the globalised world, ethical assessments are based on relativism.” Comment on this statement in the light of business practices adopted by corporates in different parts of the world. **(5 marks)**

Answer:

In the globalised word, ethical assessments are based on relativism. Some elements or aspects of experience or culture are relative to, i.e., dependent

on, other elements or aspects. There are no absolute truths in ethics and that what is morally right or wrong varies from person to person or from society to society. The term often refers to truth relativism, which is the doctrine that there is no absolute truth. The truth is always relative to some particular frame of reference, such as a society or a language or a culture. For example, killing animals for sport (like bull fighting) could be right in one culture and wrong in another.

Adjustments in the holiday calendar, dress code, formality in business dealings, promotional policies adopted by the companies, all vary across regions. Banks in Middle East do not charge interest on housing loans; they buy property and sell at higher prices to be paid in form of instalments. Similarly, Mc Donald changes its ingredients in similar products to match worldwide cultural sensitivity.

—— Space to write important points for revision ———

2017 - June [2A] (Or) (i) “What is considered ethical behaviour in one society might be considered unethical in another. For example, euthanasia (mercy killing) is permitted in some countries but it is considered strictly unethical in most of the other countries.” In the light of the above statement discuss the common features of ethics. **(5 marks)**

Answer:

Yes, the statement mentioned in the question, 'What is considered ethical behaviour in one society might be considered unethical in another', is correct. The example quoted about the practice prevailing in some of the countries of euthanasia, (mercy killing) is permitted or say ethical, while in other countries it is considered strictly as unethical. In light of the above, the common features of ethics may be listed as follows:

- Ethics is a conception of right or wrong conduct. Ethics tells us when our behaviour is moral and when it is immoral. It deals with the fundamental human relationship, how we think and behave towards others and how we want them to think and behave towards us.
- Ethics relates to the formalised principles derived from social values. It deals with the moral choices that we make in the course of performing our duties with regard to other members of society. Hence, it is relevant in the context of a society only.

- Ethical principles are universal in nature. They prescribe obligations and virtues for everybody in a society. They are important not only in business and politics but in every human endeavour.
- There exist no sharp boundaries between ethical and non-ethical. Therefore, people often face ethical dilemmas wherein a clear cut choice becomes very difficult.
- The concepts of equity and justice are implicit in ethics. Fair and equitable treatment to all is its primary aim.
- Ethics and legality of action do not necessarily coincide. What a society interprets as ethical or unethical ends up expressed in laws. The legality of actions and decisions does not necessarily make them ethical. For example, not helping an injured person in a road accident may be unethical but not illegal.

—— Space to write important points for revision ———

2017 - Dec [1] (b) Answer the following:

- (i) “An action is considered good if its consequences are good.” Explain.
- (ii) “Ethical climate provides employees to obey and adhere to the rules and authority.” Explain.

(2 marks each)

Answer:

- (b) (i)** The statement is not true because according to Deontological theories, though the consequences of an act is good, some acts are always wrong.
- (ii)** Compliance is about obeying and adhering to rules and authority. The motivation for being compliant could be to do the right thing out of the fear of being caught rather than a desire to abide by the law. An ethical climate in an organisation ensures that compliance with law is fuelled by a desire to abide by the laws. Organisations that value high ethical values comply with the laws not only in letter but go beyond what is stipulated or expected of them.

The ethical climate matters a lot to the employees. Ethical organizations create an environment that is trustworthy, making employees willing to rely on company's policies, ability to take decisions and act on those decisions.

In such a work environment, employees can expect to be treated with respect, and will have consideration for their colleagues and superiors as well.

—— Space to write important points for revision ———

2018 - June [1] (b) Answer the following in brief:

- (i) “A very old concept of ethics exists since the time of Aristotle (384 BC)” Discuss.
- (ii) What are the ethical issues in finance? Discuss. **(2 marks each)**

Answer:

- (i) Virtue theory of ethics is a very old concept existing since the time of Aristotle (384BC), and there are a variety of theories that fall under the category of virtue theory. It is, firstly, important to understand what is meant by virtue – it is a slightly old – fashioned term. Whereas the other normative theories attempt to answer the question of 'the right action' (or ethical behaviour), virtue theory is more concerned with answering the question of how to live a good life or how to be a good person. Virtue theory aims to offer an account of the characteristics one must have to be considered virtuous.
- (ii) **The ethical issues in finance that companies and employees are confronted with include:**
 - 1. In accounting – window dressing, misleading financial analysis.
 - 2. Related party transactions not at arm length
 - 3. Insider trading, securities fraud leading to manipulation of the financial markets.
 - 4. Executive compensation.
 - 5. Bribery, kickbacks, over billing of expenses and facilitation payments.
 - 6. Fake reimbursements.

—— Space to write important points for revision ———

PRACTICAL QUESTION

2015 - Dec [1] (a) XM Ltd. (XML) which is the Indian branch of US-based Corporation reported that in the years 1998 and 1999 it manipulated its books to make fictitious payments which were recorded as commissions or discounts. According to the US-based parent company's own admission, XML paid over US \$ 6,00,000 as bribe to various government employees to win contracts, though it was a serious criminal offence for an American company under the Foreign Corrupt Practices Act (FCPA) to pay bribes in a foreign country to obtain contracts.

In view of the above, answer the following:

- (i) XML paid bribe for contracts. Why was it an unethical business practice? Explain in the spirit of business ethics.
- (ii) What role can be played by the Board of Directors in corporate governance to avoid unethical behaviour? **(5 marks each)**

Answer:

- (i) Unethical behavior is an action that falls outside of what is considered morally right or proper for a person, a profession or an industry.
Hence, in the given case, XML paid over USD, 6,00,000 as bribe to various government employees to win contracts, though it was a serious criminal offence for an American Company under the Foreign Corrupt Practices Act (FCPA) to pay bribes in a foreign country to obtain contracts is an unethical business practice.
- (ii) **Role played by the Board of Directors in corporate governance to avoid unethical behavior:**
 - 1. The Board represents the interests of shareholders, as owners of a corporation, in optimizing long-term value by overseeing management performance on the shareholders' behalf. The Board's responsibilities in performing this oversight function include a duty of care and a duty of loyalty.
 - 2. Directors must avoid any conflicts of interest between the director and the Company.

3. **Directors are prohibited from:**
 - (a) taking for themselves personally opportunities related to the Company's business;
 - (b) using the Company's property, information, or position for personal gain; or
 - (c) competing with the Company for business opportunities, provided, however, if the Company's disinterested directors determine that the Company will not pursue an opportunity that relates to the Company's business, a director may do so.
4. Directors should maintain the confidentiality of information.
5. Directors shall comply, and oversee compliance by employees, officers and other directors, with laws, rules and regulations applicable to the Company, including insider trading laws. Transactions in Company securities are governed by the Company's Code of Conduct.
6. **Directors should promote ethical behavior and take steps to ensure the Company:**
 - (a) encourages employees to talk to supervisors, managers and other appropriate personnel when in doubt about the best course of action in a particular situation;
 - (b) encourages employees to report violations of laws, rules, regulations or the Company's Code of Conduct to appropriate personnel; and
 - (c) informs employees that the Company will not allow retaliation for reports made in good faith.
7. Directors should communicate any suspected violations of this Code promptly to the Chairman of the Audit Committee and the Chairman of the Corporate Governance Committee.

—— Space to write important points for revision ———

2016 - Dec [1] (a) The “Tylenol incident” involving Johnson & Johnson was an event that demonstrated how Business ethics is an important aspect of company competitiveness. In 1982, an incident occurred in Chicago causing the death of 7 people who had taken Johnson & Johnson’s product, Tylenol. It was later revealed that the cause of the deaths had to do with deadly

cyanide put in the capsules by an unknown suspect. But, Johnson & Johnson took immediate and forceful actions, not only conducting a product recall from the entire country and sending their staff to the areas where the deaths occurred, but also openly informing the public about the incident through press release. They went on a large-scale informational promotion asking the public not to use the product until the cause of the deaths are fully determined. At the time, the executive managers spent an enormous amount of one hundred million dollars to carry out the product recall, but they managed to maintain the image of an exemplary company of business ethics as they demonstrated their belief of 'people first' to the public.

- (i) In terms of the above case study explain the scope of Business Ethics in following functional areas —
- (a) Compliance;
 - (b) Marketing; and
 - (c) Production.

(2 marks each)

Answer:

Scope of Business Ethics in following functional areas:

- (a) **Compliance:** Compliance is about obeying and adhering to rules and authority. The motivation for being compliant could be to do the right thing out of the fear of being caught rather than a desire to abide by the law.
- (b) **Marketing:** Marketing ethics is that area of applied ethics which deals with the moral principles behind the operation and regulation of marketing. The issue of marketing ethics is not limited to the kind of products alone. It also deals with how such products are delivered to the customers.
- (c) **Production:** This area of business ethics deals with the duties of a company to ensure that their products and production processes do not cause harm to society at large.

—— Space to write important points for revision ———

2018 - Dec [1] (a) In a branch of ABC Bank, Branch Manager throughout the year has been under acute pressure to achieve the business targets. At the year-end, he finds that despite his best efforts, he has not been able to

achieve the targets given by his team leader. Simultaneously, he found that there are various cash credit limits sanctioned which are not being utilized. On 31st March, he makes debit entries as withdrawals in such unutilized cash credit limits and transfers to current accounts of the borrowers and again reverses these entries on 1st April. In addition, to avoid the mounting pressure of reduction in NPAs, he makes credit transfer entries in cash credit limits not transacted since last six months and reverses these entries on next day after year-end, i.e. 1st April.

In this way, he has been able to manage the achievement of his deposits and advances targets. Also, he has temporarily engaged a boy as attendant. As to employ a casual staff, he was required compliance of laid down policy of the bank, he shown payments made to him as water and cleaning charges under different names. He argues that as no loss has been caused to any one, hence he is right.

In the light of above answer the following questions:

- (i) Evaluate his actions in the light of ethical practices and mention which types of ethical issues are there at his branch. **(5 marks)**
- (ii) What do understand by 'Ethics in Compliance'? Describe by citing an example and a case study involving issues of ethics in compliance. **(5 marks)**

Answer :

- (i) In the given case, the Branch Manager, in order to achieve the targets assigned to him adopted the following unethical practices:
 - (i) Making debit entries in unutilised cash credit limits and transfer to current account of the borrowers.
 - (ii) Making credit transfer entries in cash credit limits not transacted since last 6 months and reversing the said entries on 1st April i.e. after the year end.
 - (iii) Temporarily engaging an attendant and showing payments made to him as water and cleaning charges.

In light of the above the ethical issues may be summarised as under:

- (i) Window dressing of the financials by inflating deposits and to suppress non-performing assets (NPAs), he makes ever-greening of NPAs in violation of RBI directives by manipulating books of

accounts. This amounts to cooking of the balance sheet of the branch without real business. Hence these are issues of Ethics in Accounts and Finance.

- (ii) To avoid compliance of laid down procedure to employ a casual worker, he shows the payments as water and cleaning charges in miscellaneous expenses. Hence this is an issue of Ethics in compliance.
- (ii) Compliance is about obeying and adhering to rules and authority with letter and spirit. The motivation for being compliant could be to do the right thing out of the fear of being caught rather than a desire to abide by the law. An ethical climate in an organisation ensures that compliance with law is fuelled by a desire to abide by the laws. Organisations that value high ethical values comply with the laws not only in letter but go beyond what is stipulated or expected of them. Ethical compliance helps companies to develop a work culture that abides by the workplace laws and reduces the costs associated with fines and lawsuits. One of the disadvantages of an ethical compliance program is that it requires the comprehensive support of management in order to ensure its effectiveness. If members of the management team decide to apply their own version of corporate ethics to the way they manage their departments, then this clash of principles can cause confusion in the workplace. For example, a manager who tends to compromise when his fellow employees are involved in taking bribe, it may set a precedence of undermining the entire corporate culture.

—— Space to write important points for revision ———

2019 - June [1] (a) While Microsoft's permanent workers enjoy some of the best corporate treatment, a large of Microsoft's labour pool exists outside this privileged class. This includes the use of *perma temp* employees (employees employed for years as "temporary" and therefore, without medical benefits), use of forced retention tactics, where departing employees would be sued to prevent departure, as well as more traditional cost-saving measures, ranging from cutting medical benefits, to not providing towels in company locker rooms.

Historically, Microsoft has also been accused of overworking from employees, in many cases, leading to burnout within just a few years of joining the company. The company is often referred to as a “Velvet Sweatshop”, a term which originated in a 1989 *Seattle Times* article and later became used to describe the company by some of Microsoft’s own employees. This characterization is derived from the perception that Microsoft provides nearly everything for its employees in a convenient place, but in turn takes overworks from them to a point where it would be bad for their (possibly long-term) health. For example, the kitchenettes have free beverages and many buildings include exercise rooms and showers. However, the company has been accused of attempting to keep employees at the company for unreasonably long hours and working them too much. A US state lawsuit was brought against Microsoft in 1992 representing 8,558 current and former employees that had been classified as “temporary” and “freelance”, and became known as *Vizcaino v. Microsoft*. The Final Settlement came in 2005. The case was decided that such “permatemps” had their jobs defined by Microsoft, worked alongside regular employees doing the same work, and worked for long terms. After a series of court setbacks including three reversals on appeal, Microsoft settled the suit for US \$93 million.

Taking the above facts into consideration, answer the following questions:

- (i) Analyse the responsibility of Microsoft as a moral obligation arising out of business ethics and why was it an unethical business practice ?
(5 marks)
- (ii) “Business ethics and corporate governance of an organization go hand in hand”. Elaborate.
(5 marks)

Repeatedly Asked Questions		
No.	Question	Frequency
1	Write short note on Virtue ethics theory 09 - Dec [7] (c) (i), 11 - June [5] (b) (iii), 14 - June [5] (a) (ii)	3 Times
2	Discuss briefly the following: Ethics in compliance. 09 - Dec [5] (b) (ii), 12 - Dec [5] (b) (iv), 15 - Dec [1] (b) (iv)	3 Times
3	Briefly discuss of the following: Ethics in finance 10 - June [5] (b) (i), 13 - June [5] (b) (iv), 15 - June [2] (b)	3 Times
4	Write short note on the following: Ethics in human resources. 12 - June [5] (b) (iii), 14 - June [2] (c)	2 Times
5	Write short note on the following: Ethics in marketing. 10 - Dec [5] (b) (iv), 13 - Dec [5] (b) (ii)	2 Times