Indira Gandhi
National Open University
School of Social Work

MSW-010
Introduction to
Philanthropic Social Work

Block

1

CONCEPT, HISTORY, ETHICS AND VALUES OF PHILANTHROPY

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COURSE INTRODUCTION

Professional social work has its origin in Charity Organization Societies (COS). Philanthropic social work has its origin in the vision, mission and charitable works of philanthropists, who devoted their lives for serving the poorest of the poor. The concept of philanthropic social work is relevant to developing countries where intervention among the poorest of the poor is much needed. Some of the interventions including those of Baba Amte, Acharya Vinoba Bhave and Mother Teresa have been recognized across the globe. Their approaches and the use of the social action method to ameliorate the sufferings of the needy and poorest of the poor are being adequately highlighted in this course. This course on 'Introduction to Philanthropic Social Work' consists of three blocks.

Block 1 deals with the "Concept, History, Ethics and Values of Philanthropy". In this block we discuss about the concept, nature and scope of philanthropy. We also explain the history and trends in philanthropy. Finally the block focuses on the ethical codes, fundamental human values, fundamental human rights and duties.

Block 2 is on "Philanthropic Social Work". In this block we examine the concept and meaning of philanthropic social work. The block explains the history of philanthropic Social Work and evaluates the contemporary issues in philanthropic social work. The various human and financial resources for philanthropic social work is also discussed.

Block 3 deals with "Stakeholders in Philanthropic Social Work". In this block we discuss about the various stakeholders in philanthropic social work viz. religions, government, corporate sector, non-profit organizations (donor agencies) and civil society.

This course will give you a comprehensive understanding of philanthropic social work.

BLOCK INTRODUCATION

Welcome to block 1 of the course entitled 'Introduction to Philanthropic Social Work'. This block on, "Concept, History, Ethics and Values of Philanthropy" is the first block of MSW-010. It is comprised of six units.

Unit 1 on 'Concept, Nature and Scope of Philanthropy' will enable you to understand the concept, nature and scope of philanthropy. You will be able to analyze the emerging trends in philanthropy and the need for a rational approach in philanthropy.

Unit 2 is on 'History and Trends in Philanthropy'. This unit describes the history of philanthropy from a global perspective. The unit analyzes the early beginning of charitable work, transformation of charity into philanthropy and the emergence of philanthropic foundations. The unit concludes with discussing the current scenario of contemporary philanthropy and policy environment.

Unit 3 on 'Introduction to Philanthropic Ethics' examines the main philanthropic ethical principles, philanthropic ethics in India as envisaged by School of Social Work, IGNOU and the emphasis on the philanthropic ethics of Mahatma Gandhi and Mother Teresa.

The f**ourth unit** on 'Ethical Codes' focuses on the core values of social work profession. The evolution of Social Work values and ethics is traced and the purpose, values, principles and standards in the code of ethics proposed by NASW has been explained. Finally, the ethical dilemmas and the ethical decision making process in social work has been elaborated.

The **fifth unit** on 'Fundamental Human Values' discusses the values of society, life, love and freedom as the fundamental human values that promote philanthropic activities in a society.

The **sixth unit** on 'Fundamental Human Rights and Duties' explains the concept of rights, human rights and human duties. The unit also enlists various fundamental human rights. Finally, the salient features of the Universal Declaration of Human Rights have been presented.

On the whole, this block will provide you an overview of the concept, history, ethics and values of philanthropy.

Indira Gandhi National Open University
School of SocialWork

MSW-010
INTRODUCTION TO
PHILANTHROPIC
SOCIAL WORK

Concept, History, Ethics and Values of Philanthropy

1

UNIT 1 CONCEPT, NATURE AND SCOPE OF PHILANTHROPY

Contents

1.0   OBJECTIVES

This unit provides you a basic understanding of the concept, nature and scope of philanthropy. A careful study would help you understand:

   the meaning and definitions of philanthropy in its conceptual framework;

   the nature of philanthropy as a humane response of loving and caring the humankind;

   its philosophical foundations over the centuries in different societies of the world;

   its scope as a means and method of promoting social good in contemporary societies; and

   role of philanthropic organisations.

1.1   INTRODUCTION

Philanthropy has a very long and rich tradition and found in almost all societies characterized by democratic values. It has been a phenomenon in existence since ancient to modern times through the medieval period. Philanthropy, which aims at helping fellow people, has however, changed its focus and forms over the ages. A proper understanding of the concept, the underlying meaning, its nature and changing forms would help empower the less fortunate people in any given society. Understanding the philosophical foundations responsible for the evolution of philanthropy, over the ages and across the societies, worldwide, is also very useful in this context.

1.2   CONCEPT OF PHILANTHROPY

Philanthropy literally means 'love of mankind'. According to New Standard Encyclopaedia the word has come to be used specifically for the practice of donating large sums of money to educational, religious, social welfare, cultural and scientific institutions, enterprises or causes. Philanthropy is distinguished from charity because it generally seeks to help large masses of people rather than individuals. In more conventional terms, it is the act of giving money to charitable causes.

The New Webster Dictionary of English Language also defines philanthropy as love of mankind especially as shown in practical efforts to promote wellbeing by donating to the needy causes; such benevolent activity or a particular instance of it. International Encyclopaedia of the Social Sciences defines philanthropy as the use of resources to examine and address the causes of social ills or problems. As such, philanthropy contrasts with traditional charity, understood as the ameliorative use of resources.

The Oxford English Dictionary defines philanthropy as the disposition or active effort to promote the happiness and wellbeing of one's fellow-men. The new Webster International Encyclopaedia portrays philanthropy as an act of charity meant to improve the welfare of the people. Philanthropy has been a part of many cultures from the ancient Hebrews (who introduced a tax to help the poor) to the Greeks, Egyptians, Muslims and Europeans of the Middle Ages. In the United States philanthropy is often carried out through charitable foundations established by wealthy families. Charity, love for one's fellow men, goodwill to others and alms giving have a similar connotation with that of philanthropy.

Philanthropist is a person who practices philanthropy- a benefactor. Philanthropy is a quality pertaining to or characterized by showing love for one's fellow men, being humane, benevolent and giving goods or services disinterestedly to works of charity. The word Philanthrope means loving mankind.

The word has its origin in both Latin and Greek. In Latin it is philanthropia meaning "humanity, benevolence" and in Greek it is philanthropos meaning "loving mankind," from phil- "loving" + anthropos "mankind".

Philanthropy is denoted by an altruistic concern for human welfare and advancement. It is usually manifested by donations of money, property, or work to needy persons. When an organization is initiated to channelize philanthropy it is generally known as a philanthropic organization. Its characteristics are:

Love of humankind in general.

The effort or inclination to increase the well-being of humankind, as by charitable aid or donations.

To dispense or receive aid in the form of a gift from funds intended for humanitarian purposes.

1.3   NATURE OF PHILANTHROPY

The terms 'philanthropy' and 'charity' have often been used interchangeably. Aileen Russ opines that changes in the attitude to the phenomenon of giving have meant that charity now has a somewhat derogatory connotation, and so it is gradually giving way to the more acceptable concept of philanthropy. In contrast to charitable giving, philanthropy stresses the total wellbeing rather than merely relieving distress. Philanthropy seems a more appropriate term for the highly organized types of giving typical of modern industrialized societies.

Edward Grubb states that philanthropy is closely akin to charity and may be regarded as charity grownup; i.e., the impulse to help the needy which may be but a casual and superficial emotion, develops in some minds into settled disposition and a steady life effort. The typical philanthropist is a prosperous person who gives up a large share of his life to the work of improving the lot of his fellow creatures. While charity concerns itself in the main with the present needs of individuals, philanthropy looks further, to the future as well as to the present, and seeks to elevate human life on a larger scale. It is especially characteristic of those societies that are called 'individualistic', in which ideals of personal liberty make a strong appeal to the average person. In societies where the rights of the community over the individual are powerfully felt as in the case of communism, there is less call for philanthropy; it is to the community than to the wealthy individual men naturally look for the redressing of human suffering. Further, philanthropy is usually the product of religious faith, and it is therefore affected by the kind of religion that prevails in a society at a given point of time

The type of charity has varied from country to country and from one historical period to another, but philanthropy has always been the reflection of a class society. Because, it happened on a division between the rich givers and poor recipients. Even when the poor have themselves been givers, they have always made up the largest proportion of recipients. The wealthy have not only given because they have more but because, by alleviating distress, they have secured their own positions

Philanthropy is seen by some as a supplement to government, and by others as a way to effect change without involving government. Much of funding for religious, artistic, educational and health related causes comes from philanthropic sources. In fact, many cultural, religious and artistic organizations are almost entirely dependent on philanthropic donations. The government gives these organizations exempt status. Scholars of philanthropy have identified these non-profit organizations as the 'third sector' as they are neither public nor private in nature.

1.4 THE PHILOSOPHICAL FOUNDATION OF PHILANTHROPY

An effort to understand the philosophical foundations of philanthropy would help appreciate the deeper meaning associated with it. The earlier reference may be that of the documents of Mesopotamia and Egypt indicating that charity in the sense of social justice was considered a divinely decreed principle. In ancient Egypt charity was perceived as an inner disposition toward fellow human beings and as a means of propitiating the gods for the purpose of achieving immortality. It also means giving bread to the hungry, water to the thirsty, clothes to the naked and even a boat to one who had none.

The early Hebrew thought was greatly influenced by the Babylonian, Egyptian and other peoples of the ancient East. The Hebrew Bible refers primarily to God's love for mankind, mankind's love for God and love among human beings. A person's love for God is a response to God's love, a gratitude that is also expressed through one's love for other people. As an applied virtue charity is expected of everyone, for whoever gives charity will be blessed by the Lord. In medieval Judaism, the highest form of charity is not to give alms but to help the poor rehabilitate themselves by lending them money, taking them into partnership, or employing them, for in this way the desired end is achieved without any loss of self-respect for the recipient. This has a close resemblance to the present day philosophy of philanthropic social work.

In ancient Greek society charity was synonymous with love (agape), *philanthropia, eleos*, and *philosenia*, and it was manifested through benevolent deeds on behalf of those who are in need. Compassion for the afflicted and loving hospitality were greatly emphasised. The care of strangers and suppliants was an ethical imperative because such people had been placed under the direct aegis of the divinity. Charity in the sense of selfless love, alms giving, pity and concern for the orphan, the widow and the elderly was widely and generously practised. The Greek *charis* originally denoted a gift or favour inspired by the Charites (the three Graces), goddesses who personified not only physical attributes such as charm, grace and beauty but also kindness, goodwill and gratitude.

Under the influence of the great philosophers Socrates, Plato and Aristotle, charity was perceived as a duty toward all broken and destitute humanity wherever found. It was a moral and religious obligation, a social and economic need. The pre-Socratan philosophers had held that justice and equality were principles of divine origin, as had Pythagoras, who stressed equality and harmony in social relationships.

For the great thinkers of the fifth and fourth century BCE, doing good for the sake of goodness was the only moral ground for charity. A cardinal principle of Greek religion and social thought was the divinity is good and the cause of good. Plato writes that for the cause of evil we must look in other things and not in God. Neither God nor man can be really good without in some way communicating his goodness to others. Aristotle adds 'if all men vied with each other in moral nobility and strove to perform the noblest deeds, the common welfare would be fully realized, while individuals also could enjoy the greatness of god in as much as virtue is the greatest good'.

Greek religious and social thought adopted by Cicero and Seneca in their exposition of *caritas* and *beneficia* echo Aristotle's teachings and the Greek understanding of *philanthopia*. Much charity was practised in the Roman empire, especially in the *alimenta,* such as measures introduced to assist orphans and poor children. Instead of private philanthropists, the system was adopted by imperial government after the reign of Nerva.

Charity in Christianity is synonymous with *agape* or love. In the practical application of charity, it went beyond Jews, Greeks and Romans. It stressed that 'love is of God, and he who loves is born of God and knows God. He who does not love does not know God; for God is love. God's love requires that men love one another. Charity is defined as the love of God and as man's love of neighbour, the solvent of hatred of the enemy.

In the post-apostolic and medieval Christian thought, charity was the will of God, an act of propitiation to a means of external reward, a social obligation and an act of righteousness. Byzantine society, its government and church made charity a major concern and established numerous institutions for the sick, orphans, widows, indigent and others in need of rehabilitation and assistance. Charity was also a cardinal feature of medieval western European society which was guided by the church.

Charity as a synonym for love, either as God's love for man or man's reciprocal love for God expressed in acts of love for fellow men was the conception so central to the western tradition. It is not explicitly stated in such a way in Buddhism, Hinduism and Islam. Nor do we find definitions of charity similar to the conceptions of *philanthropia* or *agape*. The Buddha's Four Noble Truths inherently include love and compassion toward fellow human beings. Buddhism sees suffering as a universal reality, but a reality with a cause. Suffering may be relieved through the application of three principles: *metta* or *maitri*, loving kindness actively pursued; *karuna*,

compassion, mercy, which does not repay evil with evil; and *mudita*, a feeling of approval of other people's good deeds. These principles find their expression in works of social welfare, including public works projects and the maintenance of hospitals and shelters for hospices.

The meaning of charity in Hinduism depends upon the interpretation of *dharma*, the primary virtue of the active life of the Hindu. *Dharma* is the inner disposition and the conserving idea, while the action by which it is realised to be known as *karman*, which is expressed in physical, verbal and mental forms. The physical forms consist of good deeds such as hospitality, duties to wife and children and assistance to those in need. Verbal charity is identified with proper or gentle speech and courteous behaviour. Mental charity is synonymous with piety.

Hinduism has given a primary position to personal ethics. The Upanishads clearly indicate that each person is responsible for his economic or social condition. If individuals are moral and perfect and economically safe, society will ultimately be perfect. Thus personal charity is enjoined to a degree that makes organized charity unnecessary.

If a man is a creature good by nature, then man can develop the ethics of benevolence, justice or righteousness. Jainism, in particular, which stresses self-cultivation more than social involvement, sees self-perfection as the best means of alleviating social misery. The value of charity as an act of benevolence is judged by the degree of personal cultivation and sacrifice involved. It is a spontaneous and personal virtue, instinctive rather than acquired. "To love your neighbour as yourself" is inherent in the *Vedic* formula of unity with the absolute self. Because one loves oneself, one is bound to love one's neighbour, who is not different from oneself.

Charity in Islam depends on the belief in an omnipotent God, master of mankind, which not only receives God's mercy but is always in danger of incurring his wrath. Thus mankind needs to serve God by means of good works, including alms giving, both voluntary offering (*sadaqat*) and legally prescribed ones (*zakat*), kindness and good treatment of parents, orphans and the elderly.

Provision of service to those in need is one of the chief aims of all the major religions of the world. Among the many services performed by religious groups are collecting food and clothing; aiding refugees; operating hospitals, orphanages and homes for senior citizens; furnishing medical services and counselling; and providing disaster relief.

Check Your Progress I

Note: Use the space provided for your answer.

1.   What do you understand by philanthropy?

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2. Discuss the philosophical foundations of philanthropy.

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1.5 THE EMERGING TRENDS IN MODERN PHILANTHROPY

The trend which foreshadowed modern philanthropy can be more easily traced to the Western Christian countries. For, since they led the industrial revolution, they were forced to alter their patterns of giving sooner than the less developed countries of Africa and the East. In the early Christian era the religious institutions taught that giving alms was an intrinsic and essential part of a Christian's duty. But there was no overall control of giving in the sense that all the poor and destitute were equally served. Rather, a giver gave according to his conscience and the amount of social pressure to which he exposed, directly to the recipient. This meant that the giver usually saw the problems of the recipient at first hand and thus made charity a personal affair.

The great changes in the conception and organization of charity were due to the decline of medieval society in Europe and the disorganization of the tightly structured feudal way of life. The dissolution of monasteries, the steady increase in population, the unplanned urbanisation and industrialisation, the beginning of a rural-urban movement, plagues and wars all aggravated the problem of poverty and destitution. The destitution has grown so extensive and evident that it could no longer be ignored. It was soon seen as a serious continuing social problem. It was evident that the church, which formerly had a near monopoly over charity, could no longer cope with the situation; thus private and secular charitable institutions began to arise to fill the gap. This movement to secular organizations was nourished by the mounting wealth of the industrial middle classes.

The historical circumstances destroyed the power of the former feudal lords and the medieval church, redistributed wealth and power to the middle class, and brought about the beginning of a new industrial society. It also caused a redistribution of responsibility for charity. For, the dislocations and maladjustments caused by these momentous changes produced a situation which was too heavy for the church and the local piety to handle.

This new approach to philanthropy gradually became defined and supported by law. The earliest and most famous law was that passed by Queen Elizabeth I in 1601 to 'to create, control and protect the funds that had been allotted or donated to charity'. It made the local community responsible for providing for the destitute whose families were unable to look after them. But it went no further than to mark out those responsible for the needy. Laws created to deal with this new social phenomenon, however, necessarily lagged behind the rapidly growing needs. For no one could foresee the extent of the fundamental changes that were taking place or envisage the coming industrial revolution, which would produce new types of destitution and poverty far beyond the capacity of the individual family or voluntary agencies to look after. Part of the gap was filled in by wealthy individuals who gave

large gifts of money to relieve the misery of those caught in the new social and economic dislocations. These gifts resembled the grants awarded by the numerous modern foundations, but differed from them in that they were solely for relief, for in that era prevention was not recognized. They did, however, serve the function of enabling people to test out new ways of coping with the situation. It gradually paved way for the present day foundations and non-profit organizations, that embarked on philanthropy on a more larger and sustainable scale.

1.6   SCOPE OF PHILANTHROPY

To be able to appreciate the scope of philanthropy in India, in its wider sense, it is worth examining the perspectives unfolded by Rohini Nilekani while inaugurating the Indian Philanthropic Forum, founded to organize philanthropy in the country in scientific and systematic manner. She laments that the new century that dawned in 2000 now requires Indian philanthropy to move very rapidly, and move in many different directions, to solve the new problems that we have. In the last three decades many things have allowed the creation of extraordinary wealth in the hands of a few in India. It has also widened the gap between the haves and have-nots, and it is time to think those who have unprecedented wealth have a tremendous responsibility, not just to give back or to give forward, but also to look at the very structures of society that can allow the concentration of wealth in a few hands.

Nilekani draws comparison of Indian philanthropy with that of the west. In the western world today, philanthropy has acquired a very interesting new orientation. There are lots of very bright young minds from the corporate sectors who are coming and saying that there are much greater challenges that one can address. She rightly points out that what we are now seeing is that the smartest minds are coming into this space and the deepest pockets are getting opened up, and we want that to be combined with the warmest hearts. She concludes that this is an extremely exciting time for Indian philanthropy to engage in philanthropic work, those who have become part of this new wealth generation are genuinely interested in improving the quality of life of the ordinary people and contributing for their empowerment.

And in India there is just so much to do. Six hundred million is the number that is now being tossed around, of people who just don't have what the privileged sections take for granted. That means, the entire creation of public infrastructure - the schools, the colleges, the roads and every single thing, that the have to do sections take for granted, which allowed them to get into good schools and to get better opportunities.

So the real question is, can that kind of opportunity come to a small child in remote rural / tribal areas or the slums of Indian cities. These issues may not be solved directly by philanthropy. Those who are comfortable should think of what is the kind of local empowerment that needs to be created to get those people to believe that they are not just part of the problem, but perhaps can be empowered also to be part of the solution.

In any society where the creation of wealth is allowed, it is obvious that the society believes that the wealth in the hands of people, rather than taxed by governments, is actually going to serve society - *at least* as well as if it were taxed and deposited in the hands of government. Hopefully it should create a kind of distribution of resources and empowerment beyond what governments could do.

Philanthropy has potential to do what neither the government nor the market can do. There is space at the bottom, where hundreds of millions of our citizens live, where

neither the government nor the markets can reach. And that is the exciting place where philanthropy can begin to support individuals and institutions that are trying to reach that very last citizen.

These are difficult things to do; they require a lot of patience and tremendous amounts of humility. It is not 'I who did something' but 'yes, I was fortunate enough to get some money, but how that money will be used is really not something I take full credit for'. But of course one can get a lot of joy from it, and that joy is well deserved. So there are many things that one can do in that space where neither society nor markets can reach.

1.7   VARIOUS DIMENSIONS OF PHILANTHROPY

Philanthropy in some organized form appears in all the major cultural and religious traditions, and it might be argued that philanthropy is an essential defining characteristic of civilized society. It is considered to be a major aspect of religion. However, it is not the only one. There are also philanthropic dimensions to economics and politics, and it is also approached from the perspective of any of the humanities and social sciences: history, literature, anthropology, and so on. Philanthropy can also be looked upon from a functional perspective also, that discusses how money is raised, how it is given, and how it is used. There are also the people involved: the volunteers and professionals.

One familiar definition of philanthropy is that it is "a rational, large-scale giving by foundations and individuals to enhance the quality of life in society at large, that includes the extension of grant-making activity to voluntary/non-profit organisations and corporations of late".

A preferred, broader definition may include "giving for charitable purposes — acts of mercy to relieve suffering, to provide assistance to those unable to fend for themselves in meeting the ordinary daily challenges of life". This broader definition also includes voluntary service and voluntary association, stressing that philanthropy is more than almsgiving, more than grant-making.

Philanthropy like charity falls within the voluntary sector and is considered as one of the much-favoured routes to the achievement of social welfare undertaken by those 'placed in circumstances of ease'. The term charity and philanthropy are difficult to separate, for both indicate a sense of social concern and conscience felt by the upper and middle classes of society for those who occupied a lesser position in society – the poor, destitute, exploited and abused, socially excluded and downtrodden.

There is a broad new philanthropic movement emerging from the 1980s and 1990s wealth boom globally. Industrial houses, family business conglomerates and the new generation of rich individuals - entrepreneurs, financiers, and executives finally have started to give their money away for charity and philanthropic purposes.

Such 'giving' is not currently limited to the charity or voluntary sector like religious organisations, NGOs and non-profit organisations. Individual donors, successful entrepreneurs and business houses have started to establish their own foundations through which they channelize funds both to non-profits and governments. This represents a paradigm shift in the way funds and philanthropic services are channeled.

Large foundations like the Rockefeller Foundation, Ford Foundation, Bill & Melinda Gates Foundation, Michael and Susan Dell Foundation and our very own Azim PremJi Foundation, Infosys Foundation, Sir Ratan Tata Trust, etc. have been

established and in most of the cases apart from funding NGOs and non-profits these foundations have funded governments in their own and in developing and under-developed countries in the field of education, health, livelihoods, etc.

1.8 THE NEED OF A RATIONAL APPROACH IN PHILANTHROPY

The basic problem of philanthropy has changed, from that of caring for the physical needs of a relatively few destitute people, to meet the physical, social and psychological needs of total populations living in highly complex societies. The emphasis now is being placed on securing a 'better', 'happier' or 'healthier' world for all and the focus has shifted from relief of immediate want to long-term planning that will prevent future want. This trend toward prevention, whose development has been due to the growth of scientific knowledge, has eliminated the need for charity in some areas. It has also led to a change in the motivation to give.

As rightly pointed out by Aileen Ross, participation in philanthropic activity is now more characteristic of the individualistic laissez-faire societies in which the ideology of personal liberty and non-interference by the state is widely held than of those with communistic political systems. In some of the individualistic societies it plays such important role that its organized agencies have become closely integrated with the whole social structure. Every year vast sums of money are collected for an infinite number of philanthropic purposes, and an increasing number of people participate in the work of collecting money through highly organized fund-raising campaigns. So well has this form of activity come to serve certain needs that in many countries it has even been incorporated in governmental policy in the form of tax exemptions for contributions for charitable agencies. It has become such an acceptable form of behaviour that few escape the demands of giving, and many important institutions are partly or wholly dependent on it. On the other hand, in countries in which the rights of the community take precedence over the rights of the individual, there is less need for voluntary philanthropy because the state takes responsibility for most if not all of the needs of its people.

However, throughout history there have been many critics of philanthropy. On a theoretical level, Marxists have argued that philanthropy is another aspect of capitalism that serves the interests of the rich. Social scientists such as C. Wright Mills showed how a small group of families control the wealth in capitalist nations, and any notion of creating social mobility through philanthropic assistance may be a mere illusion. Instances of misusing race in western societies and caste and religion in developing nations in philanthropic activities throw light on the ethical aspects of the philanthropic initiatives.

Moreover according to conventional view, a philanthropist is a wealthy person who gives to those with less. Yet this definition tends to obscure acts of giving by middle and lower income people. A growing tendency of donating sums for worthy causes by the low income groups is now being found in almost all societies and this need to be harnessed effectively to transform philanthropy as a widespread human virtue intended for promoting social good on a much larger scale. In the final analysis, to see a robust philanthropic initiative, it is needed to have foundations laid on ethical consideration whereby philanthropic activity is found on the larger principles of promoting an egalitarian society characterised by equity and justice and not to perpetuate class structures or narrow parochial considerations based on race or religion.

Modern philanthropy serves many and varied functions to the givers, collectors and the business world, as well as for the recipients. The more obvious functions that philanthropy has played through the centuries, such as relieving the lot of the poor and needy, is easy to see, but the more subtle aspects of its effects have seldom been analysed. During this process a core of professionally trained administrators and fund raisers has arisen to handle the complex problems that the extension of philanthropy has brought about. A number of professional organizations have also grown up with the specific purpose of directing the larger fund raising campaigns and training volunteer canvassers. These people were at first looked upon as professional beggars, but by now the importance of their role is recognized and they have an accepted professional status.

The organization and coordination of philanthropy have eliminated much of the early spontaneity of giving. They have also brought about a more rational assessment of people's ability to give and the introduction of scientific methods of surveying community and national needs and of raising money. Thus philanthropy has entered the field of planning. This trend has meant that the sense of personal involvement with a problem which in the past led to many worthwhile reforms has given way to impersonal donating to a charitable budget.

Understanding philanthropy presents very many challenges. For the theorists the challenges are to understand the motives and institutions for charitable giving. For the policy analysts the challenges are to measure and identify the effects of price and income-the cost benefit analysis. For the experimenters the challenge is to explore innovations in the market for giving. As governments become increasingly reliant on private organizations to provide public services, and as charities become increasingly sophisticated at raising money and delivering needed services, understanding the relationships among the suppliers and demanders of charity will become essential part for calculating the social costs and benefits of philanthropic institutions, as rightly pointed by James Andreoni. Thus the march towards professionalizing philanthropy is on its headway.

1.9   PHILANTHROPY AND THE ROLE OF NGOs

The Constitution of India (under article 38) directs the state to "strive to promote the welfare of the people by securing and protecting as effectively as it may, a social order in which justice – social, economic and political – shall inform all the institutions of national life" (GOI, 1988: 13). Thus the major onus of developmental activity comes on the state. Developmental activity refers to the individual and collective efforts to improve physical, economic, intellectual, moral and social conditions. It aims at bringing all round growth resulting in betterment in the quality of life of people. The government alone cannot be expected to meet all kinds of needs of the people. The working Group on Block Level Planning remarked that the Country's social and economic problems are so vast and multifarious that the government's administrative machinery alone can't tackle them (GOI, 1978: 139.40). Here lies the need for "sincere, dedicated and competent voluntary organizations with social action as their main strategy based on social justice for all" (Gonsalves, 1975:58) and unfurls immense scope for Philanthropic Works.

Philanthropists as well as foundations, voluntary organizations or NGOs established by them work in close proximity to their clientele. Social work approach to problem solving assigns primacy to the clients. This client – centered approach of NGOs

and social work brings them together in their march towards the common goal of social welfare. Hence, for increasing people's participation in the programs, the institutions of social work and the NGOs are required to work together.

The post-independence era has witnessed phenomenal increase in the number of voluntary agencies with the introduction of community development programs. The planning commission recognized their role in the first five year plan document itself in the field of social welfare by observing, "that a national plan which embrace both the public and the private sectors may yet be incomplete unless the enthusiastic support of large number of voluntary organizations and voluntary workers engaged in constructive work can be harnessed into action as an aspect of public cooperation. Every successive five year plan gave important role in extending welfare activities among backward classes and provided financial assistance for taking up various programs in this field with constantly enlarging outlays.

The seventh plan identified voluntary agencies as the alternative mechanism for helping the poor. Late Prime Minister Mrs. Indira Gandhi had emphasized the need for widening the role of voluntary agencies under the chairmanship of the chief secretary or the development commissioner. Periodic meetings of such groups were proposed to give valuable feedback on the actual implementation of the scheme and to help bring out problems affecting the work of the voluntary agencies (Sachdeva, 1992-93: 223). Besides, because of their own experiences the Indian policy makers realized the limitations of the government and the comparative advantages of the NGOs. They understood that the government has failed to reach the intended beneficiaries through the welfare and development activities, because of corruption, red-tapism and bureaucratic hurdles. But the NGOs, because of their easy accessibility to the poor, their awareness of local problems, their low cost alternative technologies and their participative strategies could make better impact in those areas, where the government with their giant bureaucratic machinery failed. Once these facts were assimilated, the policy makers realized the advantages of collaborating with the NGOs. Accordingly, the Indian state began encouraging the participation of the NGOs in different government sponsored welfare and development programs. Besides, the provision for grant in aid has been made in different government departments, inviting the NGOs to involve themselves in planning, capacity building, implementation and monitoring of the development programs.

If NGOs have to be successful in securing peoples participation, they have to fulfill some essential prerequisites. Firstly, they themselves should be people's organizations or set up with full participation or support of the people. Secondly, they should help in the development of local grass-root level organizations to become self-reliant through sustained efforts of local leadership while it is important to achieve development by utilizing local resources, local talents and strengthening all that is good and utilization in the local lore and tradition. It is equally important to achieve development through implementation of progressive ideas relating to appropriate technology and new values".

Thirdly, they should not attempt to operate projects directly but do so through local people who should only be guided by the cadres. Fourthly, the NGOs should be able to create motivation and opportunities for self employment among people. This means that they should create conditions which will cause self employment and not create parasitic jobs. Fifthly, NGOs should study the national development policies and promote among people thinking trends on the lines of those policies so as to enable the people to reap the benefits of schemes and projects meant for them. Sixthly, and as a corollary to the preceding prerequisite, the governments should

recognize the NGOs as an essential third force for economic and social development. (The Government and the people are the two other forces). Lastly, the NGOs or the voluntary organizations should keep constant liaison with other voluntary organizations with a view to avoiding duplication of efforts and wastage. Proper co-ordination among NGOs will result in greater benefits.

The voluntary organizations were once served by unpaid social workers imbued with the spirit of service and did not require any special education or training. But the present trend of professionals in social services emphasizes proper education and training of personnel in the context of scientific and technological advancements impinging on the quality of services to be provided for various type of clientele (Sachdeva, 1992-93: 207).

Here lies the need for embarking on Philanthropic Social Work by combining the virtues of both philanthropy and Social Work so that persons trained accordingly would contribute for attaining the goals of philanthropy as well as social work and bring the advantages of the both worlds in improving the wellbeing in the society.

Check Your Progress II

Note: Use the space provided for your answer.

1. Discuss the scope of philanthropy in modern world.

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2. What is the role of voluntary organisations in the practice of philanthropy?

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1.10   LET US SUM UP

In this unit, an attempt has been made to describe the concept, nature and scope of philanthropy, philosophical foundations of philanthropy, the emerging trends in philanthropy and the need for a rational approach in philanthropy. It has been pointed out that philanthropy has a very long and rich tradition and found in almost all societies characterized by democratic values. It has been a phenomenon in existence since ancient to modern times through the medieval period. Philanthropy means love of mankind and differs from charity in the sense it generally seeks to help large masses of people rather than individuals. Philanthropy has been a part of many cultures from the ancient Hebrews to the Greeks, Egyptians, Muslims, Europeans and the Eastern societies. Philanthropy has changed from that of caring for the physical needs of a relatively few destitute people living in simple societies to attempting to meet the physical, social and psychological needs of total populations living in highly complex societies. The emphasis now being placed on securing a 'better', 'happier' or 'healthier' world for all and the focus has shifted from relief of immediate want to

long-term planning that will prevent future want and leading to the empowerment of the indigent sections. Philanthropy's potential to reach to the bottom rung of the society, where hundreds of millions of our citizens live, where neither the state nor the markets can reach, should be rightly utilized to reach that very last citizen. Philanthropy should have foundations laid on ethical considerations of promoting an egalitarian society characterised by equity and justice. There is increasing role of voluntary organisations in the practice of philanthropy and Social work professionals might find their opportunities in the administration and management of philanthropic organisations.

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UNIT 2   HISTORY AND TRENDS IN PHILANTHROPY

Contents

2.0   OBJECTIVES

This unit is intended to help the learner understand the historic beginnings of philanthropy and its evolution across the globe and India. The detailed study will help the learner understand:

> the early beginnings of charitable work from which philanthropy had evolved;

> the transformation of the early charitable work of compassionate helping as a sustainable process of enabling and empowerment with the advent of philanthropic perspective;

> the emergence of egalitarian organizations called philanthropic foundations;

> the philanthropic work taking place globally;

> understand the Indian ethos conducive for the expansion of philanthropic work in India;

> its expansion over ancient, medieval and modern times;

> the potential scope and possible limitations of the contemporary Indian Philanthropy; and

> the policy environment of promoting philanthropy and its strengths and weaknesses.

2.1   INTRODUCTION

It is in the Christian communities of the West, and particularly in the English speaking countries, that philanthropy has been most widely developed. But it has long existed in the East also, quite apart from Christianity. Having had its beginnings in charitable work associated with religion, philanthropy has been transformed into an egalitarian endeavour of promoting human wellbeing through the philanthropic foundations worldwide with a secular orientation. The policies of the contemporary societies encouraged philanthropic work through tax concessions.

Sandeep Deshmukh aptly analyses that the pluralistic values have dominated the evolution of philanthropy in India throughout the country's complex history. Daan, generally translated as 'donation' in English, is the preferred traditional way of giving in Hindu society. It is given to a Brahmin (a priest figure) publicly, for recognition, or privately, for moksha (salvation). The ancient traditions of temple trust (sthanattar) and the village assembly (gaonki) have similar functions to community foundations.

Although these traditional mechanisms for giving are still important, class, caste and the social relationships based on them are in transition. Religious giving is strongest in rural areas, although the influence of the village communities has weakened since independence. Different religions have inspired different mechanisms for giving, though none are uniform across India.

Ramachandran and Rachna Jhas' collective work on Corporate Philanthropy and its Emerging Trends describes the nature and evolution of corporate philanthropy in India. Families in India are in some ways microcosmic socio-economic systems. They are strongly embedded in their local communities, and have a long tradition of giving to the poor, needy and destitute. Donating towards temple building, for instance, has been a favoured charitable activity throughout history. In recent times business families, for instance, do not focus only on achieving sustainable financial growth, but also on contributing a part of their income for social good. Traditionally, companies have directly given to charitable organisations or to individuals in need, or have undertaken activities for social good on their own. In recent years, their focus has shifted from charity to philanthropy and many new activities such as environmental conservation and preservation of history and art have become part of the philanthropic activities of business families and of corporate philanthropy. As the charitable impulses of family businesses slowly transformed into sustainable organized philanthropic initiatives, companies started setting up Corporate Social Responsibility (CSR) wings.

As businesses grew and professionalized, several family businesses institutionalised their philanthropic activities in the form of family foundations. These served as excellent forums for family collaboration and a means of transferring the mantle of philanthropic stewardship to succeeding generations. Gradually, the global business environment and stakeholders' growing expectations encouraged businesses to pay close attention not only to their philanthropic activities, but also to the measurable social impact of these activities. Today, companies view their philanthropic programmes not only as corporate or family resources meant for social development, but also as strategic social investments intended to achieve measurable outcomes and impacts. Corporate philanthropy programmes are often a part of the organisation's mission and are designed to address social and political issues that affect the business.

2.2 THE EARLY BEGINNINGS OF CHARITABLE WORK

All the major religions of the world have had the history of provision of service to those in need, as one of their chief aims. The word charity comes from the Latin *caritas* meaning 'love'. Among the many services performed by religious groups are collecting food and clothing; aiding refugees; operating hospitals, orphanages and homes for senior citizens; furnishing medical services and counselling; providing disaster relief and inaugurating self-help projects in Third World nations.

In chronicling the history of philanthropy across the globe Aileen D. Ross quotes Grubb regarding the relation between charity and religion. In early times charity was usually motivated by religious faith and so its history in different societies can, in

part, be understood by studying their religious ideologies. However, religious zeal is largely the product of a complex of forces, thus, even though the ideal of philanthropy was articulated through the religious functionaries, there were always other underlying reasons that prompted philanthropic giving. It seldom, if ever, occurred either when the giver did not receive some practical or psychological reward, or when there was no punishment for not giving. Active participation in philanthropy has through the ages been much more characteristic of Christian or Western than of pagan or Eastern societies and of those belonging to Protestant rather than to Roman Catholic or Orthodox religions.

In preliterate societies, the family, kin, caste, tribe or clan looked after its own people as a natural duty. The wealthier and those in high positions were expected to bear the larger share of looking after the destitute and sometimes the village would look after all its members. But alms giving, in the sense of the duty of everyone to give to those outside their own close circle, was not necessary. For, belonging to a large family or clan was being part of a system that supplied social and economic security. The continuing strength of the ties of family, kin, tribe or caste in Africa and Asia is one of the main reasons for the difference in the organization of philanthropy in the East and the West. Another is the fact that almost all the new nations have begun their independence with a certain amount of guaranteed social security in their constitutions.

Certain current trends in philanthropic thinking and organization go back very far in history. The idea that giving would ensure a reward in heaven was found in Egypt many centuries before the Christian era and giving was not limited to family or clan. In ancient Rome, the idea was first introduced that citizenship was the basis of the right of relief for every person, no matter whether he was destitute or not; this foreshadowed the principle of universality. Philanthropy in this sense had very little connection with poverty and was not necessarily motivated by pity, nor was it considered an important virtue.

In the East, religion has also virtually been the main force to motivate giving. Many verses in Koran exhort the belief to give alms. This is considered a basic duty, and the destitute and poor can demand alms as a right. The Muslims thus look on almsgiving as a compulsory act, but one that enhance the prestige of the giver.

a) History of Philanthropy in China

In China, through the teachings especially of Confucius and Mencius, the virtues of benevolence have been recognized from very early times. They taught that the State exists for the promotion of human happiness; but neither central nor local authorities appear to have done much actively in this direction. There has, however, been much private benevolence, especially during the last two centuries; but this is scarcely noticed in the Chinese histories, which have been written in the main as chronicles of the doings of kings and emperors. Orphans and abandoned children have been cared for, and endeavours made from time to time to put a stop to the practice of desertion. Hospitals and alms-houses have been established. There is a Chinese poor law, which is stated to be on paper admirable but in practice almost a dead letter, since no funds are provided by the state, apart form the land tax, the proceeds of which, even under an honest magistracy, are usually required to meet the cost of local administration. In most of the Chinese cities there is a large amount of philanthropic work initiated and controlled by the people apart from, but not in antagonism to, the government; and these local charities are coordinated by institutions like the 'Hall of United Benevolence' at Shangai, which dates from 1805.

b) Greek History of Philanthropy

Among the Greeks philanthropy occupied a minor place, whether in practice or in ethical theory. It was always assumed that the bulk of hard manual work of the community would be done by slaves, whose fundamental needs were of course provided for, and if distress came upon the citizens, the Greek mind naturally turned to the city-State, rather than to wealthy individuals, as the organ through which the trouble should be met. In the place of philanthropists we find legislators and statesmen like Solon and Cleisthenes, whose reforms were designed to lift up the poor citizens and release them from their burdens. We hear, indeed, of rich citizens in Athens fitting out at their own charge vessels for navy and helping their poorer neighbours by portioning their daughters and sisters; yet Aristotle in his *Politics* comments foreign examples of benevolence, implying that this was not a conspicuous virtue among fellow-Athenians. What he desired was no ill-considered or spasmodic charity.

c) Roman History of Philanthropy

The best of Roman philanthropy had its roots under the empire the Stoic faith, which fitted so well the ideal Roman character. It drew some of the leading minds towards a wider recognition of the worth of manhood. The broadening of the sense of human brotherhood had its outcome in a distinct development of the philanthropic spirit. Hospitals of some kind, probably private infirmaries, appeared in the first century A.D.; and, with the desire to encourage the growth of population, several of the emperors formed endowments known as *alimenta* for the support of selected children of poor parents, entrusting their administration to local municipalities and encouraging others to do likewise.

d) Jewish History of Philanthropy

Among the Jews the duty of kindness to the poor, the widows and the fatherless was constantly enforced as a thing pleasing to God. But the nearest approach to anything that can be called philanthropy is perhaps to be found in the earlier prophets who (from the time of Elijah's fearless denunciation of Ahab for his injustice to Naboth) pleaded the cause of the poor against their oppressors. The special contribution of the Jewish spirit (mainly through the prophets) was its insistence on the practice of justice and love as a vital element in religion; what Jahweh required of men was 'to do justly and to love mercy and to walk humbly with God'.

After the Exile the rise of the Synagogue was accompanied by the gradual development of a system of organized charity, for which the Jews are still remarkable. It is not surprising, after the treatment which they have received at the hands of Christians, that except to their own people most Jews are not much inclined to liberality.

e) Christian History of Philanthropy

A major philanthropic ideal that is still held by some Christians is the belief that one-tenth of a person's income should go to charity. This idea called the tithe, goes back in the history of Hebrew giving which was considered a religious duty. The system of tithing was fairly common among many ancient peoples and was often collected in the form of a general tax rather than as a gift to God or the poor. Thus the acceptance of state taxation for charity could be said to be an idea that was also suitable for the charitable needs of earlier societies.

The teachings of Jesus with regard to giving, which have had great influence in determining philanthropic attitudes down to the present day in the Western world, can also be traced to earlier religious attitudes towards charity. In particular, Jesus' teachings that the spirit of giver is more important than the size of the gift, and that it is more blessed to give than to receive, emphasized the virtues of unselfishness and giving as a personal sacrifice.

f) Modern History of Philanthropy

Modern philanthropy, strictly so called, begins with the Reformation and is exemplified most in the countries of North Europe and America where the Reformation took deepest root. In England the dissolution of the monasteries destroyed the whole organization of society so far as the relief of the destitute was concerned. The Elizabethan Poor Laws marked the failure of private philanthropy. The outbreak of strange sects during the Commonwealth period included schemes of social regeneration, like that of the 'Diggers' led by Everard and Winstanley. But more important was the rise of the Quakers, just in the middle of the 17th century. Their belief in the 'Light of God in every man' gave them a fresh intuition of human brotherhood and sent them forth as sober apostles of love and justice among men.

The close of 17th century and the early years of 18th marked a new departure in philanthropy: the beginning of 'societies' for carrying on religious and philanthropic work with money jointly provided. From the 18th century onwards the formation of philanthropic societies has continuously gone forward with all sorts of objects, such as printing and distribution of Scriptures, popular education, the aftercare of prisoners, the prevention of crime by reformatories, and industrial schools, the advocacy of temperance, the prevention of cruelty to children and animals and the spreading of the principles of international peace.

2.3 TRANSFORMATION OF CHARITY INTO PHILANTHROPY

Another trend in philanthropic activity that was established during the war was that of coordination of effort. There was a growing realization that while much of voluntary work was overlapping, many of the needs were being overlooked. This coordination took the form of *Community Chests*, which combined a number of charities under one appeal, and united appeals. By 1929 it was estimated that there were 331 *community chests* in America. These chests had raised $ 73 millions in that one year alone. Again, corporations played a large part in financing this expansion.

The best-known and largest single American charity is the community chest or united fund. Hundreds of cities throughout the nation conduct a single annual campaign for donations and distribute the money to local charities. The first community chest was organized in Denver, Colo., in 1887. The idea has spread to other countries, including Japan and South Africa.

Community welfare councils appraise local needs, eliminate duplication of services and develop new sources of revenue. To qualify as member of a Chest, local charities must submit their budgets to the Council and agree not to conduct individual campaigns. Many cities in America have a United Fund. This organization gathers into one campaign the collection for all local, national and international charities. Thus Community Chests and United Funds used to raise billions of dollars which they usually allotted for youth services, family and children services, health services and medical research.

The total philanthropic donations of corporations have also risen steeply. The Bureau of Internal Revenue estimates that in 1936 corporations donated $30 million to charitable purposes. In 1951 the figure was over $ 300 million. Although this figure was large, a breakdown in terms of total giving to philanthropy and type of giver shows that corporation contributions were only 5 per cent of the total annual receipts. The rest is made up of donations from foundations (3%), individual gifts (74%) and other sources (18%).

The donations do not come only from the corporation budget but also from employees. This source was tapped when the growing number of campaigns caused strong competition between fund raisers during World War I and forced them to move further down the economic ladder to achieve their objectives. Employees were a well organized group from which to solicit contributions. This movement was encouraged in so many corporations that by 1950 a large number permitted payroll deductions for the major national and city-wide campaigns in North America.

Parallel to the centralization of many former charities under the jurisdiction of the state there has arisen the centralization of private giving under the control of businessmen. Business institutions have thus succeeded the religious institutions on which early charity depended for inspiration and control. This change has brought about a change in the ideology of philanthropy. Implicit in the religious ideology of giving was the idea that the giver, as well as the recipient, would receive some benefit from the gift, either in this world or the next. The implication of future reward is still present in the modern ideology of giving, but the individual reward is no longer thought of as coming in the next world. Rather, it is expected in this one, either in the emotional form of personal satisfaction received from sacrifice and doing one's duty or as a more tangible reward in the form of direct or indirect benefit from better medical services, better homes, play grounds and the like.

2.4   CHARITY vs. PHILANTHROPY

Is there a difference between charity and philanthropy? "Charity expresses an impulse to personal service; it engages individuals in concrete, direct acts of compassion and connection to other people." (Friedman and McGarvie 2003, 31). Charity is referred to making a contribution (giving) in cash or kind, which is made to a person or organization perceived to be needy or worthy. Philanthropy, however, is more complicated and more ambitious: the effort to use financial and other resources to accomplish a defined goal shared by the philanthropist and the funded organization. Such an interpretation has two-fold implications. First, while a charity giver acquits himself by mailing or handing-over cash or a check, the philanthropist seeking to advance her/his own goals becomes a partner in the effort and associates in the long term. As a partner, she/he searches for ideas, expertise and at times even additional funding that will improve the program or organization in terms of scale and impact. Second, because the philanthropist makes grants in order to advance defined goals, she/he insists on accountability and evaluation both to measure impact (which in business terms is referred to as a return on investment) and to track the ways in which the sponsored effort could be improved.

In comparison to charity, philanthropy represents a broader paradigm which is defined as "a desire to improve the material, social, and spiritual welfare of humanity, especially through charitable activities". [Source: Encarta online dictionary] Philanthropy is "bigger" in its scope and its aim is societal benefit; rather than simply

helping people in need, which suggests short-term and immediate actions and is referred to as charity.

Philanthropy at its core is the investment of private capital for the public good. Taking it to a higher level, the idea of *strategic philanthropy* on the other hand, as is in operation by modern philanthropic organisations and corporate philanthropists, connotes not necessarily to large donations, but focuses on solving problems at their root. *Strategic philanthropy* works to identify opportunities for leveraging change much greater than the size of the investment — small amounts of money that start making large impacts. These investments often tend to be long-term in nature, upstream focused and come with a higher risk for a higher potential return. These are often focused on changing systems and regularly have an influence on public policy.

2.5   THE EMERGENCE OF PHILANTHROPIC FOUNDATIONS

During the medieval period in Europe, most charitable work was done by the church; but after the Protestant Reformation of the 16th century and the rise of nationalistic movements, many religious sources of charity was curtailed. Private philanthropy gradually took the place of church. In England it was the crown that took upon itself the role of defender of the defenceless. All private trusts were regarded as private contracts to which the crown, as a third party, was bound as the protector of all likely beneficiaries.

From 17th century to the end of 19th century, most trusts and foundations were small local affairs. Worldwide there are tens of thousands of such charitable organizations. As each of them must operate within the legal framework of the country within which they are headquartered, it is difficult to give a definition of foundations that applies to all. In general terms, a foundation is a private non-profit association that maintains a sizable fund of money in trust to aid a wide variety of charitable causes. Foundations are managed by trustees and boards of directors and set their own priorities for giving away their money.

Philanthropic foundations are endowments that are devoted to the pursuit of public purposes. Foundations are typically set up to exist, in principle, in perpetuity- spending parts of their annual income on public purposes, while retaining the remainder to preserve and grow their endowment assets. Historically foundations were closely linked to religious charity in the Judeo-Christian tradition, but similar concepts are found in other religious traditions as well, such as the *al-wakif* in Islam.

Many other private service endowments were created in the years 1800 to 1850, but the establishing of the great foundations of today began later in the 19th century. The huge fortunes amassed by some American industrialists such as Andrew Carnegie, John D. Rockefeller and Henry Ford were the basis for the large trust funds that make up the wealth of the biggest foundations. In terms of wealth and size, the foundations in the United States make it the world leader in their formation.

Since about 1940 philanthropy has become more democratic. Foundations are increasing rapidly in number. Industrial corporations and individual wage earners started contributing hundreds of millions of dollars every year to charity. The money is channelled through organized collecting and distributing agencies. Chief of these are the local community chests. The American Red Cross and the Salvation Army

are two of the largest national charitable organizations. In United States the nature of philanthropy is changing as well as the source of contributions.

In the course of the twentieth century, however, much foundation activity has been linked to the concept of philanthropy. Literally 'the love of mankind', philanthropy can be most poignantly defined as the use of resources to examine and address the causes of social ills or problems. Although many charitable trusts existed for various purposes in early American history, and the foundations of Benjamin Franklin, James Smithson and George Peabody were of great significance, the birth of the US foundation sector, and with it the rise of the concept of philanthropy is typically located around the beginning of twentieth century.

In an influential series of articles published in the 1880s titled *Wealth*, the industrialist Andrew Carnegie began to argue in favour of an obligation on the part of the rich to devote excess wealth to public purposes and to help provide opportunities for the less fortunate to better themselves. Over the following decades, the traditional focus of charitable trusts on providing relief and amelioration was gradually supplanted by a new orientation toward analysing and addressing the causes of social problems rather than just addressing their effects. Using the emerging sciences to tackle the 'root causes of social evils' set the ambitions and operations of the early twentieth-century foundations part from earlier foundation activities in the United States and launched what historians Barry Karl and Stan Katz have termed the *modern philanthropic foundation.*

The earliest of these new foundations included the Russell Sage Foundation, the Carnegie Corporation and the Rockefeller Foundation which popularized the foundation idea and provided blueprint that other wealthy donors began to follow in the 1920s and 1930s. High marginal tax rates that originated during World War II and continued into post-war period, in combination with tax regulation, further propelled growth of foundations in 1940s and 1950s.

The private philanthropy in United States continued to give direct help to the poor. They also moved, however, into new fields. These include medical research, fellowships and scholarships to talented young people, rehabilitation of the handicapped, youth welfare, psychiatric care and home counselling.

Philanthropy which was once confined to one's own ethnic communities and immediate societies has now become trans-national. Philanthropic action by individuals or societies for the benefit of humanity outside their own country has been very significant in the new millennium. The great missionary enterprises must be considered here. To quote from the past, the anti-slavery agitation was the greatest of these philanthropic movements. In this case the work of philanthropists has been mainly directed at securing the necessary changes in law and to bring continual pressure to bear on the government to secure, as far as possible, justice and right treatment for weaker people.

The initiatives from Clinton Foundation, the Melinda and Bill Gates Foundation and Rotary International are only few other examples of the trans-national massive philanthropic activities in developing and third world countries. In collaboration with the respective nation states these foundation are endeavouring to improve the health of millions of indigent sections who otherwise don't have access to health care. There are scores of other foundations who initiated targeted interventions in areas of education, livelihoods, shelter and social security including food security.

Check Your Progress I

Note: Use the space provided for your answer.

1. Explain the transformation of charity into philanthropy.

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2. Discuss the emergence of philanthropic foundations.

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2.6 THE INDIAN HISTORY OF PHILANTHROPY

Philanthropy in India is largely guided by religion and the demands of caste, clan, family and community. Giving is primarily directed towards religious organizations like temples, mosques and churches. However, in the modern times philanthropy has also extended to corporate involvement and the rise of non-profit organizations working towards the country's development.

The primary motivation behind giving was the belief that charitable activities lead to one's salvation. In later years, through interaction with other civilizations and the resulting ideas of equality, human rights, and other related causes, social action groups started to emerge, fighting for women's empowerment, removal of untouchability, promotion of education and others. These were initiated by well-known social reforms, many of which had close links with the freedom movement of the country.

a) Philanthropy in Pre-Independent India

Indian philanthropy has always been strongly linked to religion since ancient times. Concepts such as daana (giving) and dakshina (giving to a teacher or priest) in Hinduism and bhiksha (giving to a monk) in Buddhism are rooted in the idea of philanthropy. In India, philanthropy also evolved into volunteerism. Individual volunteering has had a tremendous potential in India, with most volunteers serving religious organizations.

Different socio-religious denominations and sects have been responsive to the social and developmental demands of society. Institutions like the Satya Sai Sewa Trust, the Swaminarayan Movement, the Chinmaya and the Ramakrishna Missions, Radhasami Satsang all depend on charity by Hindus. These organizations extended their service spheres from religion-oriented activities into other areas such as rural development, environment, income generation and women's empowerment.

Likewise Islam directs its followers to give in the form of *sadaqah* (voluntary charity), and *zakat* (obligatory charity). *Zakat* is paying of 2.5%, 5%, and 10% of annual savings, income from agriculture produce, or other products, depending on certain conditions of the payer and or the process of income. This is necessary to purify the

remainder of the wealth, and paid during the month of *ramadhan* (fasting). This typically involves supporting the causes of literacy and education through schools and colleges, healthcare and homes for the aged and the destitute. These religious institutions are also increasingly beginning to venture into sectors such as rural development, livelihoods and specialized healthcare. Muslim institutions and *Wakf* boards are also involved in social welfare and developmental activities and also run *madrashas* (religious schools), providing education to Muslim students.

Christian missionaries have been active in India for nearly two centuries and have contributed greatly in the spheres of education, health delivery and backward groups' development in remote areas. A well-known example is the service of Mother Theresa and Missionaries of Charity.

Volunteerism also found a new meaning in the wake of India's struggle for freedom, with Mahatma Gandhi giving India a vision of Swaraj (self-rule), Ahimsa (nonviolence) and Seva (service).

b) Philanthropy in Modern India

To understand philanthropy in the post-independent modern India one needs to understand the transition of the traditional philanthropic initiatives into emergence of the present day Non-Profit Organizations. Gandhian voluntarism of the early 20th century stemmed from Gandhi's belief that India's development lay in the development of her villages. He introduced a constructive program to make the village self sufficient by encouraging people to use the spinning wheel (charka), hand-woven cloth (khadi) and village industries (gramodyog). Gandhi's voluntarism was a major shift from the voluntarism practiced in traditional Indian society. It emphasized empowerment and transformation of society and acquired a political content. However, these voluntary initiatives had none of the organizational characters to classify them as modern.

After the country won independence, the Gandhian Voluntary Organizations attained a lot of prominence due to their leader's support. These voluntary organizations were involved in the training of government officials implementing developmental activities. Other organizations followed the welfare approach in providing relief during times of famines and floods. The Government took initiatives during this period to promote voluntary agencies. The view held then was that social work should be the domain of the voluntary organizations while the state should only provide technical and financial support. To this end, the Central Social Welfare Board (CSWB) set aside funds to finance the voluntary sector.

In the 60s and 70s, other volunteer organizations cropped up, including Indian organizations formed by international voluntary groups, organizations by middle class professionals, non-party action groups, community-based organizations, corporate philanthropy organizations, and government-formed voluntary organizations. Such organizations grew due to the prevailing middle class mindsets, compassion for the poor, tax incentives and need to develop appropriate technology. The need for welfare grew during this period due to the increased occurrence of famines and floods and also the refugee problem due to the 1971 war.

In the 1980s and 90s, voluntary organizations acted as intermediaries between donors and the poor, worked on empowerment and helped form CBOs to campaign for more rights from the state, and provide training and consulting services. In recent years India has seen a surge in volunteerism from within and outside India. Several organizations in India accept international volunteers for short-term assignments.

Corporate volunteering is also on the rise. The GE Elfun Movement promoted by General Electric is committed to improving their local communities through volunteerism, leadership and camaraderie. The India Movement has over 1,800 members and has grown to five chapters since its inception in 1999.

During the early days of industrialisation in India, philanthropy was limited to individual initiatives undertaken by organisations and rich families. During the independence movement, several industrial thought leaders extended their financial support to leaders of the freedom struggle. G.D. Birla's financial contributions to the movement and Ardeshir Godrej's generous donation to the Tilak Fund for the upliftment of Harijans were notable among these. The Tatas and the Murugappas pioneered charitable contributions to hospitals and schools. Currently, on average, Tata Sons contributes between 8 to 14 percent of its net profit every year for philanthropic activities through the various Tata Trusts.

Since philanthropy was considered as pure service to mankind and thus to God, women of many such prominent families were encouraged to get involved. Non-working family members, primarily women, took an active part in key decisions in philanthropic activities. While key members of the family drove economic wealth creation, others took care of the trusteeship role expected from the family by taking up various philanthropic initiatives to improve the lot of the underprivileged. In the paradigm of Indian philosophy, service to mankind is believed to bring God's blessings, and hence the business family chose to directly supervise its philanthropic activities. Support came from the business organisation through executives and assistants who shared these sentiments. In essence, service was the only motto of philanthropy in the early days, and everyone who wanted to get involved, regardless of his or her technical or managerial capabilities, was encouraged.

In the Indian corporate scenario, different business communities like Parsis, Marwaris, Khatris, Reddys and Chettiars were in the forefront in philanthropic activities. Institutionalized philanthropy also received an impetus with the industrial revolution in India, as corporate wealth began to be channeled towards welfare and development work. Jamshedji Tata is considered as the father of modern Indian philanthropy. The J N Tata Endowment Scheme was launched in 1892, much before the first major foundation was formed in the US. His biggest contribution was the establishment of the Indian Institute of Science.

Also, J R D Tata was one of the first few people to alert the nation of the dangers of uncontrolled population and joined SP Godrej, Dr. Bharat Ram and others in a campaign for population control. They together set up the Family Planning Foundation in Delhi for research and funding of family planning activities.

Corporate giving in India during the year 2000 was estimated to be Rs. 200 millions. Companies operating in India are increasingly recognizing the fact that the best way for their business to grow is by aligning themselves with the nation's development objectives. These objectives have gone beyond the prevailing practice of giving to individuals in need who belong to one's own caste, community or religion.

Modern corporate foundations like the Azim Premji Foundation and the Infosys Foundation support education initiatives in various states. Other industrial houses such as Bajaj, Birla, Reddy laboratories etc., GMR Industries have also started their own foundations to support an array of development initiatives.

2.7   THE CHANGING FACE OF INDIAN PHILANTHROPY

Lokesh Pande traces the changing face of Indian philanthropy from the medieval periods to modern times. Philanthropy has been a tradition in India since times immemorial. In olden days emperors donated sumptuous amounts for the upkeep of poor and needy living in their empires on special occasions like festivals and other social functions such as marriages, birthdays etc. They also donated land and money to sages living on the outskirts of their empire.

Several thousands of years later, while philanthropy continues to hold a special appeal for Indians, the face of donor has undergone considerable change. Emperors as donors have been replaced by commoners belonging to upper and middle class groups. However when compared with developed societies like America, donation for social causes has taken a back seat.

Individual and corporate donations make up only 10 percent of charitable giving in India. The balance of the philanthropy comes from foreign organizations and the government. In fact, nearly 65 percent is donated by India's central and state governments with a focus on disaster relief. By comparison, nearly three fourths of all philanthropy in the US is undertaken by individuals. This tradition reflects America's history and culture of individualism as well as a supportive tax structure. Even more impressive this high rate of charitable giving by individuals has been remarkably consistent for a number of years.

Arpan Sheth analyses that when we look at giving as a percentage of household income in India, donations by the wealthy actually go down. In fact, the wealthiest or upper class, have the lowest level of giving at 1.6 percent of household income. The high class, which is ranked one level below the upper class on the income and education scale, donates 2.1 percent to charity. Even the middle class gives 1.9 percent of household income to philanthropy. Clearly, there is room for those with means to give more. So why aren't they? Why aren't we? To understand the challenge before us, we need to look at the three major factors that constrain giving in India.

> *The first factor:* The relatively recent accumulation of wealth by individuals inhibits philanthropy. The number of wealthy individuals in India started growing rapidly only after the economic reforms of the 1990s. Normally, it takes 50 to 100 years for philanthropic markets to mature. Today in India, many of those with hard-earned new wealth are not eager to part with even a small amount of their money. As a society, charitable donations do not necessarily win social recognition. Instead, many of the newly wealthy view increased material wealth as the key to improving their social standing. A Bain analysis of 30 high-net-worth individuals in India showed that they contribute, on average, just around one-fourth of 1 percent of their net worth to social and charitable causes. But remember, even the great philanthropists John D. Rockefeller, Andrew Carnegie and J.P. Morgan did not give away their riches until toward the end of their lives.

> *Another factor* impeding contributions is a belief by donors that support networks are not professionally managed, and as a result, their contributions won't be put to good use or are at risk of being misappropriated.

> *Finally*, for some, the lines may be blurred between personal giving and corporate social responsibility initiatives. Much of corporate India is run by family-owned groups. Among the top 40 business groups, nearly 70 percent are

31

family-owned or -controlled enterprises. It is likely that some families and individuals view corporate responsibility initiatives as extensions of their own giving. And that may curb their interest in making personal donations.

As per statistics a sizeable number of donors, around 40 per cent, donate for religious causes – the intent here probably being to please the gods and demigods and get rewarded handsomely in material terms through their blessings. Natural and national calamities like earthquakes, floods, war etc. have also seen people coming together with the common objective of helping those in distress. Some 26 per cent of donors prefer to donate in times of national crisis or natural calamities. However, only about 10 per cent of the donors donate for the welfare of marginalized sections of society. Philanthropy seems to have lost focus in times of today with majority donating for intangible causes.

At present, philanthropy is developing more in urban areas. A study conducted by Sampradaan Indian Centre for Philanthropy (SICP), indicated that 96 % of upper and middle class households in urban areas donate for a charitable purpose. However, promoting giving must address all forms of wealth, as giving money is not the key to developmental problems in all areas. For instance, community grain banks offer a solution to pockets of inadequate nutrition in India and grain can finance further development projects.

One example of innovation through giving institutions is the emerging community foundations across the country. SICP is promoting a community foundation in Mewat by trying to build a network of donors within the small middle class community and the local Muslim clergy. Lessons from this project may inspire others.

Diaspora giving continues to play an important role. Though it has developed mainly from family-focussed initiatives it now encompasses broader philanthropic aims. It is increasingly being channelled through foreign foundations.

Although many Indian companies' community development and CSR programmes have had little visible impact, there are examples of strategic company philanthropy. The Tata Institute of Fundamental Research, for example, is a world-class centre of research in mathematics and sciences, borne out of the vision of Tata Group of Companies in the 1940s. The Tata family was awarded a Carnegie Medal of Philanthropy in 2007 for its "longstanding commitment to philanthropic causes". Its recent multimillion grant to the Horward Business School is a classical example for cross boarder philanthropy flowing from India to the developed world for the cause of promoting quality education.

Vineet Nayyar of Tech Mahindra's 30-crore rupees gift to the Essel Social Welfare Foundation is a high-profile example of philanthropic giving in India. Nayyar understands that philanthropy is not only the right thing to do but also the smart thing to do. A more equal and less impoverished society benefits every one of us. A healthier, better-educated population means a more secure and prosperous India.

A quick glance at the current Indian philanthropic scenario would show a number of interesting trends. Corporate Social Responsibility (CSR) is the most prevalent form of philanthropy worldwide, though the levels of activity and organisational involvement vary widely. Most large organisations have a social responsibility arm, with budgeted resources and dedicated staff, which works towards improving the quality of life of the workforce and their families, as well as for the local community at large. Most philanthropic initiatives are undertaken in the business neighbourhood, mainly because of the immediate impact on local stakeholders. Organisations with multiple locations tend to undertake community building activities in as many business locations as

possible. Such 'pure' corporate initiatives do not have much participation from the business promoter's families. This is particularly the case if the promoter family is not very closely involved in the business.

With the transformation of the economy in the 1990s, a new generation of corporate leaders, such as those of Infosys and Wipro, have shown tremendous interest in investing their wealth for social development. They have demonstrated how several strategic approaches used by professional organisations can be applied for formulating policies and programmes for inclusive growth. Several such individuals and their families have set up their own private foundations for philanthropy. Most are either first or second generation entrepreneurs such as Azim Premji or multi-generational family businesses.

A family foundation is broadly defined as a charitable organisation managed by individuals with family ties and supported by donations from those individuals, their businesses and other investment income. In such individual or family foundations, promoters play an active role in formulating strategy and often in micro level activities, again depending on the interest and availability of time. An extreme case of the entire family and the organisation itself being dedicated to selfless service is the case of Aravind Eye Hospital

The Family-Corporate Jugalbandi is the most common model of philanthropy in India. Since most Indian business organisations are family businesses, a separate philanthropic organisation is created, in the form of a foundation or trust. This is largely funded by the business, but often run under the leadership of the business family. One such example is the Krishi Gram Vikas Kendra (KGVK), an NGO set up by Usha Martin Limited, which receives a fixed annual grant from the company. GMR Varalakshmi Foundation, GMR group's family foundation, is another example of family-corporate jugalbandi where the family business contributes a fixed percentage of its surplus to the foundation annually.

In all these cases, family members take an active part in deciding the range of philanthropic activities and in overall programme review. However, they recruit high quality non-family professionals to develop structure, systems and processes for successful execution of these philanthropic programmes. These organisations tend to get into partnerships with other like-minded organisations - whether local, national or foreign - for aid and sharing of expertise. The major benefits of such a model include higher accountability, knowledge sharing, talent acquisition, an ability to scale up programmes quickly, and system and process optimality brought in by external funding.

Sundar Pushpa states that Women's philanthropy has deep roots in India. She analyses that despite their generally low socio-economic status, Indian women made significant contributions to social progress even while outside the formal power and profit structure. The role of religion, custom, caste and class, political and social movements, and the legal and political structure in motivating and facilitating as well as restraining women's philanthropy needs to be understood in more systematic manner. It is lack of economic independence and an enabling socio-legal structure that has inhibited social entrepreneurship among women, while socio-political movements have encouraged it.

Philanthropy is no longer understood as simple charity. Current philanthropic initiatives are in alignment with current social realities and aim to attack social problems at their root. Contemporary business philanthropy strives to create awareness about environmental issues such as afforestation, water harvesting, global warming, about issues like foeticide, discrimination against girl child, and about the spread of diseases like HIV-AIDS.

This metamorphosis has been in tandem with changes in the economy in recent years, as economic development has picked up momentum with liberalization and progressive economic policies. The change has been for the better in all respects. In recent years, philanthropy has become both efficiency and effectiveness oriented, thanks to larger corpuses of funds, more strategic planning, a more professional approach and more rigorous outcome/impact measurement of the amounts spent on philanthropy.

Indian philanthropy has emerged in recent years as a mainstream professional activity, thanks to rapid economic growth, and the globalisation of knowledge and funding resources. Organisational leadership now insists on the best use of their resources for inclusive growth. Family businesses are fast opting for an entrepreneurial approach to problem solving, both in terms of identifying new areas of activity and improving existing ones.

Philanthropy now aims at capacity building of the target group. The professional approach to solving complicated issues, the use of metrics and strategic decision-making has transformed philanthropy from mere monetary giving to targeted goal-oriented support to worthy causes. Also, as the breadth of activities and range of possible ways of contributing to any specific cause have expanded, immense possibilities have opened up for volunteers and donors. In the post-globalisation landscape, individual entrepreneurs and business families have increasingly accepted a tri-fold bottom-line of growth that includes community and environment. What is noteworthy is that the fundamental premise of philanthropy - its motto of service - continues as before.

Another potential area for philanthropic work is the Indian Diaspora. It has been one of the larger global migrant movements in the world, with estimated numbers at 20 million. In 2005, remittances have been recorded at USD 21.7 billion. As reported, this is 4 times higher than India's Foreign Direct Investment. In the United States, 24 of the high-tech firms in the Silicon Valley with annual sales turnovers of over USD 3.6 billion are owned by Indians. In Hong Kong, though the Indian Diaspora numbers only about 23,000, it accounts for almost 10% of the island's international trade, which is estimated to be around USD 400 million. A High Level Committee has been formed to deal with diaspora issues, enabling Indian migrants to advise the Prime Minister on India's development.

As noted in the 2003 Global Equity Initiative Study on Indian and Chinese Diaspora Philanthropy, there is a large incidence of Indians giving back to the country, mostly in the community level and through informal channels. The giving patterns have recently shifted from individual giving to institutional giving, with migrants supporting causes of Indian NGOs such as Asha, CRY and IDS, as well as Indian educational institutions. There has also been a noted shift from supporting traditional causes such as religion and culture to more development related areas such as education and health. The willingness and availability of support by Indian migrants for development projects in India is hoped to encourage better reporting and regulation in the Indian Non Profit Organization sector, and further strengthening support from the diasporas.

Reasons for giving, as described in 2004 study "Mapping for Diaspora Investment in the Social Development Sector in India", can go beyond an emotional bond to a desire to change the image of the country that has long been synonymous with poverty, illiteracy and hunger.

Check Your Progress II

Note: Use the space provided for your answer.

1. Give a brief account of philanthropy in modern India.

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2. Enlist the factors that impedes philanthropy in India.

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2.8 LET US SUM UP

In this Unit, we have described the history of philanthropy from global perspective. The main topic of discussion centered around the early beginning of charitable work, transformation of charity into philanthropy, the emergence of philanthropic foundations, the current scenario of contemporary philanthropy and the policy environment.

The earlier charitable work under the influence of religions across the globe has gradually been transformed into philanthropy with larger focus on capacitating people rather than simply ameliorating their conditions. From 16th century onwards the new phenomenon of emergence of formal organizations based on egalitarian principles have started cropping up under the titles of trusts and later foundations. The twentieth century witnessed the emergence of truly global foundations extending their philanthropic activities beyond the boundaries of nations and continents. The philanthropic organizations have become more democratic and egalitarian and expanded their interventions beyond amelioration to the development of science including the social sciences to improve the quality of life of the people. National governments across the globe started creating an enabling policy environment for the promotion of philanthropic organizations in view of their indispensable role in promoting human wellbeing in the society. India has had the rich tradition of philanthropy fostering public good. Philanthropy has changed its forms and patterns-philanthropy fostered by rulers in the ancient times, socio-religious organizations in the pre-independence times and business houses or family centered trusts and foundations in the post-independent era. Indian organizations are coming up to tone up the Indian philanthropic work in the right direction. Systematic and rational efforts should be taken up by individuals and institutions competent to handle philanthropy, to identify, dovetail and harness philanthropy to promote social good on a much larger scale. Individuals and institutions engaged in philanthropic activities need to be more transparent, accountable and ethical so that they become the icons for others to follow.

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UNIT 3   INTRODUCTION TO PHILANTHROPIC ETHICS

Contents

3.0   Objectives

3.1   Introduction

3.2   Philanthropic Ethical Principles

3.3   Philanthropic Ethics in Indian Context

3.4   Let Us Sum Up

3.5   Further Readings and References

3.0   OBJECTIVES

The objective of this unit is to introduce you to 'Philanthropic Ethics.' The unit places before you the main philanthropic ethical principles; philanthropic ethics in India as envisaged by School of Social Work, IGNOU; and the emphasis on the philanthropic ethics of Mahatma Gandhi and Mother Teresa.

3.1   INTRODUCTION

Philanthropy etymologically means "love of human." It is private initiatives for public welfare. It is generally agreed that the word was coined about 2,500 years ago in ancient Greece by the playwright, Aeschylus, who wrote *Prometheus Bound.* There the author wrote that the primitive humans, at first had no knowledge, skills, or culture of any kind. They lived in dark caves in constant fear of their lives. Zeus decided to destroy them, but Prometheus, a Titan, out of his "philanthropos tropos" (human-loving nature) gave them two empowering, life-enhancing gifts: fire (symbolizing all knowledge, skills, technology, arts, and science) and optimism (with which they could improve their condition). The Greeks adopted the "love of human" as an educational ideal, whose goal was the fullest development of body, mind and spirit. *Philanthropia* was later translated by the Romans into Latin as, simply, *humanitas* = humaneness. Combining all these views, we may better define philanthropy as private initiatives for an all-round public welfare. This distinguishes it from government (public initiatives for public good) and business initiatives (private initiatives for private good). A philanthropist is a person who practices philanthropy. The term is usually used to describe those that donate large sums of money. People who donate smaller sums of money are just as important, and are often sacrificing more of their disposable income than a rich person that donates a larger amount. People who donate smaller amounts of money, however, are not nearly as visible to others, and so are not usually given the title.

Nature of Philanthropy

Philanthropy can be done through the donation of money, property, and services:

Money. Money can be donated directly to those in need, or it can be given to charities and other organizations to distribute. Many philanthropic people donate a specific percentage of their income. Some people choose to give their money away

when they die, putting instructions into their will as to which charitable organizations or people it should go to.

Property. Property can be donated just like money. Both new and used articles of clothing are usually accepted by most charities. Other common items like strollers and electronics can be donated to charity stores. Canned or prepackaged food can be donated to soup kitchens, some shelters, and other charity centers.

Services. Sometimes, people need services. One person offering one's time and skills to another is an example of this sort of donation. Some people serve by working in soup kitchens or delivering meals. Others visit nursing homes and hospitals so that they will have company. Those with specialized knowledge can donate their skills in many different ways, such as being legal representatives for those with little money or tutoring children in need.

3.2   PHILANTHROPIC ETHICAL PRINCIPLES

The new millennium (21st century) provides the proper moment to reflect on the privilege of working in philanthropy. Philanthropy supports courageous people working to reduce human suffering and advance human achievement. Most societies have traditions of giving in some form or other. Philanthropy affects almost all parts of human culture and a large number of people. It continues to expand and increase its effectiveness, hence one needs to be clear about philanthropy's basic values.

Whether it is terrorism, war, natural disasters, or simply everyday life, the humans live in stressful times. It may be difficult for some people to find meaning and purpose in a world filled with unease and upheaval. Gifted persons are especially sensitive to issues that affect society. They often become concerned with fairness, meaning, and the "whys" of what transpires in the world. Bright persons are empathic and can often put themselves in other people's shoes. This can be a very good quality, but at the same time quite frightening. These exceptional humans may draw inward in order to cope with stressful realities, and thus become isolated. Isolation, in turn, may lead to depression.

There are ways to help gifted persons cope with these emotions. Talking with them and normalizing their feelings are helpful strategies. But what can we do about helping them deal with their feelings about unfairness and meaninglessness in the larger picture? How can we help foster self-confidence and self-actualization? As lovers of human, one can give these persons the direction they need to move forward in helping others. Thus, one can see that philanthropy is moral at its core. Moral is about behavior; ethics is thought about that behaviour. Our interventions in other people's lives for their benefit are moral actions. So the core value of philanthropy is morality. The capacity to respond to others in need is a defining characteristic of being human. Humans are beings capable of moral judgment and action, although not all humans are equal in these matters or any other. As with so many values humans often lose touch with their deeper meaning, just as they often fail to act according to the values they proclaim.   The Greeks fretted a lot over weakness of will, knowing the right thing to do but not doing it.

Another way to express the idea of philanthropic values is to distinguish among government, the market, and philanthropy by identifying the essential concept of each one. An essential concept is one which embodies the core of a being. Hence, the essential concept of government is power. The essential concept of the market is wealth and the essential concept of philanthropy is morality (the right to help others

in need or to act voluntarily to improve the quality of life). The following constitute the core of philanthropic ethics:

Welfare: The value one might call welfare is another term for the large category of concerns for the overall well-being of the most vulnerable sections of society.

Generosity: Generosity is a value at the core of philanthropic mission. The grant-making and other forms of giving are expressions of the basic human instinct of altruism that religious and secular policies encourage. A particularly interesting feature of philanthropic generosity is that it goes beyond the most typical pattern of giving around the globe which emphasizes giving to one's family and acquaintances.

Compassion: Compassion is an emotion that is a sense of shared suffering, most often combined with a desire to alleviate or reduce the suffering of another; to show special kindness to those who suffer. Compassion essentially arises through empathy, and is often characterized through actions, wherein a person acting with compassion will seek to aid those they feel compassionate for. Compassionate acts are generally considered those which take into account the suffering of others and attempt to alleviate that suffering as if it were one's own. Compassion differs from other forms of helpful or humane behavior in that its focus is primarily on the alleviation of suffering.

The first step in cultivating compassion is to develop empathy for fellow human beings. Many believe that they have empathy, and on some level nearly all have it. But many times humans are centred on themselves and they let their sense of empathy get rusty. Try this practice: Imagine that a loved one is suffering. Something terrible has happened to him or her. Now try to imagine the pain they are going through. Imagine the suffering in as much detail as possible. After doing this practice for a couple of weeks, one should try moving on to imagining the suffering of others one knows, and not just those who are closely related through relationship of kinship or friendship.

Instead of recognizing the differences between oneself and others, try to recognize what all have in common. At the root of it all, all are human beings. All need food, and shelter, and love. All crave for attention, recognition, affection, and above all, happiness. Once one can empathize with another person, and understand his/her humanity and suffering, the next step is to want that person to be free from suffering. This is the heart of compassion, which calls for philanthropic commitment.

The final purpose is not only to ease the sufferings of those whom we love, but even those who mistreat us. According to Dalai Lama, 'when we encounter someone who mistreats us, instead of acting in anger, withdraw. Later, when you are calm and more detached, reflect on that person who mistreated you. Try to imagine the background of that person. Try to imagine what that person was taught as a child. Try to imagine the day or week that person was going through, and what kind of bad things had happened to that person. Try to imagine the mood and state of mind that person was in — the suffering that person must have been going through to mistreat you that way.'

Reciprocity: Here the philanthropic value is reciprocity, repaying the good things done for us by the good things we do for others in turn. What a sociologist called "the norm of reciprocity" can go beyond it when reciprocal charity happens in sincerity and selflessness.

Loving Relationship: Love is the greatest moral norm. It is also the greatest relationship. It is not primarily about certain polite behaviour, about conforming to all the rules and regulations, but of living in loving relationship with women and men of today. For love gives human life its cohesion and dynamism.

Authenticity: Philanthropists are truthful with their partners and expect the same in return. They model the standards that they expect others to uphold. They ensure that there is consistency in all phases of their work.

Stewardship: Philanthropists invest only after rigorous due diligence is complete. They look for opportunities to help organizations become more efficient and effective. They work to create systems for sustainability. They are funders and shapers and rely upon others to act and implement.

Concern for the Poorest of the Poor: Philanthropy, especially the kind visualized by IGNOU, also has a reformist side, usually toward social reform in behalf of the poorest of the poor.

Solidarity: The principle of solidarity invites us to consider how we relate to each other in community. It assumes we recognize that we are a part of at least one family – our biological family, our local community, or our national community. In a globalizing economy, we participate in a vast, international economic community, one in which goods and services are provided for us by those on the other side of the world. Solidarity requires us to consider this kind of extended community, and to act in such a way that reflects concern for the well-being of others.

Participation: Participation extends the idea of solidarity to make it practical. The demands of solidarity point us to the principle of participation, so that those affected by an environmental decision can shape how it is made. Many environmental problems stem from decisions being made by private individuals or companies that have wide-ranging implications. In some cases, in this country and others, governments make environmental decisions without fully securing the consent of the public. Often, those most affected are unaware of the decisions or the long-term effects on their health and the well-being of their environment. The ethical principle of participation requires us to recognize all of the parties: both humans and non-humans who are likely to be affected by a decision, and to recognize that all parties should have a say in how the decision is made. Genuine participation requires transparency, meaning that each individual has access to the same information that everyone else has.

Health Care: The commonly accepted principles of philanthropic health care ethics include: respect for autonomy, non-maleficence, beneficence, and justice. *Respect for Autonomy*: Any notion of moral decision making assumes that rational agents are involved in making informed and voluntary decisions. In health care decisions, our respect for the autonomy of the patient would, in common parlance, mean that the patient has the capacity to act intentionally, with understanding, and without controlling influences that would mitigate against a free and voluntary act. This principle is the basis for the practice of "informed consent" in the physician/patient transaction regarding health care. Personal liberty of action in which the individual determines his/her own course of action in accordance with a plan chosen by him/her implies independence and self-reliance, freedom of choice, and ability to make decisions. It cannot exist in a vacuum but must be acknowledged and respected by others. *Non-maleficence:* Non-maleficence requires of us that we not intentionally create a needless harm or injury to the patient, either through acts of commission or omission. In common language, we consider it negligence if one imposes a careless or unreasonable risk of harm upon another. Providing a proper standard of care that avoids or minimizes the risk of harm is supported not only by our commonly held moral convictions, but by the laws of society as well. In a professional model of care one may be morally and legally blameworthy if one fails to meet the standards of due

care. The legal criteria for determining negligence are as follows: the professional must have a duty to the affected party, the professional must have breached that duty, the affected party must experience a harm, and the harm must be caused by the breach of duty. This principle affirms the need for medical competence. It is clear that medical mistakes occur. However, this principle articulates a fundamental commitment on the part of health care professionals to protect their patients from harm. *Beneficence:* The ordinary meaning of this principle is the duty of health care providers to be of a benefit to the patient, as well as to take positive steps to prevent and to remove harm from the patient. These duties are viewed as self-evident and are widely accepted as the proper goals of medicine. These goals are applied both to individual patients, and to the good of society as a whole. For example, the good health of a particular patient is an appropriate goal of medicine, and the prevention of disease through research and the employment of vaccines is the same goal expanded to the population at large. It is sometimes held that non-maleficence is a constant duty, that is, one ought never to harm another individual; whereas, beneficence is a limited duty. A physician has a duty to seek the benefit of any or all of her patients, however, the physician may also choose whom to admit into his or her practice, and does not have a strict duty to benefit patients not acknowledged in the panel. This duty becomes complex if two patients appeal for treatment at the same moment. Some criteria of urgency of need might be used, or some principle of first come first served, to decide who should be helped at the moment. It is the duty to help others further their important and legitimate interests when we can do so with minimal risk to ourselves. *Justice:* Justice in health care is usually defined as a form of fairness, or as Aristotle once said, "Giving to each that which is his due." This implies the fair distribution of goods in society and requires that we look at the role of entitlement. The question of distributive justice also seems to hinge on the fact that some goods and services are in short supply, there is not enough to go around, thus some fair means of allocating scarce resources must be determined. It is generally held that persons who are equals should qualify for equal treatment. This is borne out in the application of Medicare, which is available to all persons over the age of 65 years. This category of persons is equal with respect to this one factor, their age, but the criteria chosen says nothing about need or other noteworthy factors about the persons in this category. In fact, our society uses a variety of factors as criteria for distributive justice, including the following: to each person an equal share, to each person according to need, to each person according to effort, to each person according to contribution, to each person according to merit, to each person according to free-market exchanges. One of the most controversial issues in modern health care is the question pertaining to "who has the right to health care?" The duty to give to the other what that person is due or owed what he/she deserves or can legitimately claim.

Social Interaction: Philanthropic ethics underlines social interaction, which is the process by which people behave in relation to others. Almost all human behaviour is oriented toward welfare of other persons. A woman nodding to someone she meets on the street, an angry father scolding his child, and teacher giving students an assignment for the next day are all interactions, most often intended for the good of others. There are mainly five broad or universal types of social interactions that are of positive nature: cooperation, exchange, accommodation, assimilation and integration.

i) *Cooperation:* Cooperation is interaction in which individuals or groups act together in order to promote common interests or shared goals. They achieve goals that

might otherwise be difficult or impossible to achieve individually. All social life, in this way, is based on cooperation. People band together in groups to adapt to the environment. They work together to meet individual needs efficiently and to provide mutual protection from threats of other societies. Society would be inconceivable without a minimum of cooperation. There are four main types of cooperation: spontaneous, traditional, directed, and contractual. Spontaneous cooperation is the oldest and most universal. It arises out of the needs and possibilities of a situation, as when witnesses to an accident jointly give aid to the injured. Traditional cooperation is cooperation ingrained in a primitive tribe through repetition from one generation to another. The cooperation that originated spontaneouly has become an established custom and tradition passed on from generation to generation – for example, a cooperative venture began among the families of a medieval Indian village. Directed cooperation is the one directed by a third party who holds a position of authority. The third party may be a swimming instructor who tells students to pair up when they go into the water. Contractual cooperation is that in which groups agree to cooperate in certain explicit ways, with the obligations of each clearly spelled out. A group of young mothers, for example, take turns caring for each other's children so that each can have some free time.

Cooperation stands in contrast to coercion. Coercion is one person or group forcing its will on another. All forms of coercion, to a large extent, rest on the threat of the ultimate use of physical force or violence. It is usually much more subtle than the open use or threat of violence. Love for a parent, faith in God, and fear of loneliness can all be used as weapons of coercion. It is usually viewed as a negative kind of social interaction. But it also has positive social functions. Although parents and educators use many patterns of social interaction in socializing children, coercion is often very effective in imparting values, in teaching what is right and what is wrong.

Cooperation also remains in contrast to conflict: Conflict is the process of social interaction in which two or more persons struggle with one another for some commonly prized object or value. It is the opposite of cooperation in which defeat of the opponent is considered essential for achieving the desired goal. Conflict arises because of scarce resources, in the pursuit of which each individual tries to subdue the others as much as necessary to satisfy one's own desires. George Simmel identified four major types of conflict: wars between groups, feuds or factional strife within groups, litigation, and the clash of impersonal ideals. Some thinkers have opined that conflict is a problem caused by faulty social organization and that conflict would not arise in a perfect society. However, several sociologists have emphasized that conflict has some positive aspects. It can serve as a force that integrates the people on opposing sides. It may also lead to needed social change. Even if society could somehow succeed in eliminating conflicts, such a state might not be desirable. A conflict free society would be lifeless.

There is also another type of cooperative conflict known as competition by which individuals and groups struggle to reach the same goals, but their main concern is directed toward the goals being sought, not toward the competitors. Although the defeat of the competitor is not the primary aim in competition – as in conflict – one competitor will attain the goal and the other will be defeated. Unlike cooperation, the competitors seek their goals separately, in rivalry with one another. To prevent competition from degenerating into conflict, it is necessary for parties to abide by the 'rules of the game.'

ii) *Exchange:* Exchange is a form of interaction by which a person acts in a certain way toward another for the purpose of receiving a reward or return. The rewards need not have to be monetary or material. Subjective emotional rewards form the basis for many social exchange relationships. Exchange relationships based on gratitude are more significant in people's lives than is generally understood. Sheltering a victim of communal riot in one's own house, helping an elderly person across the street, sending a small gift to a co-worker who is ill – underlying all these actions is the expectation that the other person will feel grateful for what you have done. One's love for another is not based solely on an expected return of that love, but that expectation nonetheless is a part of the relationship. If the person never receives any gratitude for the love offered, one's feelings of love probably will not survive the unfair exchange.

iii) *Accommodation:* Accommodation denotes acquired changes in the behaviour of individuals which enable them to adjust to their environment. It is distinct from adaptation, which is adjustment through organic or structural modification transmitted through heredity. Accommodation, on the other hand, is adjustment achieved through the acquisition of behaviour patterns transmitted socially and through adopting new ways of behaving. Animals lower than humans adjust themselves through adaptation; whereas humans adjust themselves through accommodation. This is due to the fact that human life in a truly social environment which demands adjustment to it.

iv) *Assimilation:* Assimilation is the process through which persons and groups acquire the culture of another group by adopting its attitudes and values, its patterns of thinking and behaving. It is a process by which persons and groups acquire the memories, sentiments, and attitudes of other persons or groups by sharing their experience and history. The assimilating groups incorporate into them the common cultural life of the assimilated group. In the process of becoming assimilated, individuals or groups give up their own culture to adopt that of others. In other words, the process involves both denationalization and renationalization.

v) *Integration:* Integration is the harmonizing or unifying process by which the various structural components of society are properly organized. Integration does not mean similarity of various structural parts, but similarity of certain basic, common values essential for the maintenance of society. When basic changes occur in a society due to a new technology, the traditional values may become inadequate calling for certain readjustment necessary to integration. Integration not only keeps the society ongoing but also imparts a meaning and purpose to the lives of the individuals who, then, feel themselves part of a comprehensive and harmonious social life.

Integration fights isolation, which is the absence of communicative interaction or social contact. Both individual and group can be isolated. Two main types of isolation may be distinguished: spatial isolation and organic isolation. Spatial isolation is an externally enforced deprivation of contacts through imprisonment or banishment. Organic isolation is caused by certain organic defects of the individual such as deafness or blindness. Isolation is considered to be a negative value. Despite temporary or partial isolation being useful, complete isolation can be harmful. An individual or group may sometimes have to withdraw from society, in order to preserve self-identity, but if an individual or a group is completely separated from the rest of society for a long time, the result can be mental retardation or breakdown of personalities as humans can grow only with the help of other fellow beings.

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| **Check Your Progress I** |
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| **Note:** Use the space provided for your answer. |
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| 1. Enlist the principles of philanthropic health care ethics. |
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| 2. What are the different types of social interactions? |
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3.3 PHILANTHROPIC ETHICS IN INDIAN CONTEXT

Philanthropy has a very long tradition in India, and the concept of *dana* (gift-giving) works across religions and cultures in India. From the 1900s onwards, we saw a lot of Indian industrialist households, and especially the Tatas, lead the way in reinventing philanthropy in the modern age. They have set up many kinds of institutions; they've supported many kinds of movements all across India.

The new century that dawned in 2000 now requires Indian philanthropy to move very rapidly, and move in many different directions, to solve the new problems that we have. In the last three decades many things have allowed the creation of extraordinary wealth in the hands of a few in India. It has also widened the gap between the haves and have-nots. Those who have unprecedented wealth have a tremendous responsibility, not just to give back or to give forward, but also to look at the very structures of society that can allow the concentration of wealth in a few hands.

What is it that became so different about India in the last three decades that allowed people, especially middle-class people, to (ethically and legally, of course) make much more money than one could have dreamt of in one's life? And what responsibility does that therefore bestow on others? Those are some of the questions that might arise in persons who travel across the country, looking at exactly how poor the people in north Bihar or the hinterland of Madhya Pradesh are.

So what is philanthropy in our context? In the western world today, philanthropy has acquired a very interesting new orientation. There are lots of very bright young minds from the corporate sectors who are coming and saying that there are much better challenges here in India. What is seen is that the smartest minds are coming into India and the deepest pockets are getting opened up, combined with the warmest hearts. So, this is an extremely exciting time for Indian philanthropy.

What kind of philanthropic Ethics, then, are we talking about? Is it just about setting up schools and hospitals? I think Gandhian and Mother Teresian philanthropies with their fundamental option for the poorest of the poor can serve as best models for a

relevant philanthropic ethics in the context of the recently launched IGNOU Programme of the MSW Philanthropic Social Work.

Gandhian Philanthropy: In Gandhi, one can perceive some of the important principles of philanthropy. Following the cultural traditions of India, Gandhi saw God not as a personal but an unseen power, which was represented for him as truth, and which became a central tenet for him. He even named his autobiography as "The story of my experiments with truth. His belief that "truth is God" led him to the idea of oneness of humankind and the essential unity of all existence. The practice of ahimsa or nonviolence was the means to attain this truth.

Gandhi's moral philosophy of *Sarvodaya*, meaning universal uplift or welfare, also flowed from his belief in the oneness of humankind. *Sarvodaya* was a philanthropic step beyond utilitarianism, which looked for the welfare of the greatest number. When one seeks the welfare of all, one cannot be satisfied with the welfare of the greatest number, and universal welfare flowed from one's belief of isomorphism of truth. It did not matter to him that it may be a goal that is beyond reach. Gandhi believed that economic policy and business behavior could not ignore moral values. He stated that nature provided enough to satisfy human's needs but not human's greed. Since the rich had wealth in excess of their needs, it was their duty to use the balance for the welfare of the others. Gandhi says in the autobiography how he was inspired by the notion of *aparigraha* (meaning non-possession) in the *Bhagavad Gita*.

Gandhi's philanthropy is not akin to charity or generosity for he believed that able-bodied people should work for their living, and giving charity to healthy people was not only shameful and degrading but gave the donor a false sense of satisfaction. He believed in a voluntary form of socialism. Gandhi disagreed with communists due to their use of violence to achieve their ends although their egalitarianism appealed to him. Gandhi was not uncomfortable among the capitalists. G.D. Birla, founder of the Birla Group of companies in India, provided much of the money for the maintenance of Gandhi's ashrams and his various organizations. Gandhi also distinguished between capitalists and capitalism. Gandhi's dislike of force and state enforcement made him imply philanthropy initially as a voluntary practice, but towards the end of his life, increasing frustration perhaps due to lack of wide acceptance made him lean towards legislation and state enforcement.

In a wider sense, philanthropy was a generic dynamic process that Gandhi subscribed to which governed the relationship between the strong and the weak, the rich and the poor, and the rulers and the governed. He viewed it as the responsibility of all individuals to retain only what they need and to utilize the rest of their wealth and income for the benefit of the poorest of the poor. For Gandhi, wealthy people should not just be encouraged to act as philanthropists, they are morally required to do so. For his desire was to alleviate the poverty he saw around him, and a nonviolent approach to equitable distribution was preferable to either state intervention or the violent means of the communists. There is a moral justification for acting as a philanthropist. Even though an individual may claim that he/she did not cause the poverty, continuing to live in and share the fruits of society requires bearing common responsibility. One could even argue that, by spending on oneself and not taking the voluntary initiative to use the excess wealth for society's benefit, the individual is certainly causing harm to society for whom the wealth could have been used.

Philanthropy involves making a contribution to activities that are involved in good works, and hence is an expression of support and encouragement. It does not involve

any transformation of the giver's intent or behavior beyond this act of donation. Nor does it provide constraints on decision making. However, Gandhian philanthropy stipulates that corporations need to recognize their responsibility towards society and to act accordingly in a responsible manner. This sets a minimum standard of expectations; and organization that recalls its product from the market when it has evidence of possible harm to consumers and before being required to do so by regulatory authorities would satisfy an expectation of socially responsible behavior. Another organization may seek to establish its socially responsible credentials by sponsoring sports or arts events.

Gandhian philanthropy is an ideal standard that requires being proactive. It is highly an ethical philanthropy with authentic social responsibility. It would require a moral basis of operation that goes beyond writing a check for a tax deductible cause, or disposing of hazardous waste safely. It would not only require an organization to see itself as using assets for the benefit of the poorest of the poor, but would also require that it follows a moral path in the way it conducts business.

Mother Teresian Philanthropy: Mother Teresa was a philanthropist. She spent many years lifting and carrying those who were dying or sick. She chose to "serve the poorest of the poor and to live among them and like them." She strove to make the lives and deaths of those around them more peaceful and full of love. She fed, washed, and cared for anyone who needed the assistance. The following incident is the beginning of the story of her work told by her: "One day, in a heap of rubbish, I found a woman who was half dead. Her body had been bitten by rats and by ants. I took her to a hospital, but they had told me that they didn't want her because they couldn't do anything for her. I protested and said that I wouldn't leave unless they hospitalized her. They had a long meeting and finally granted my request. That woman was saved." Realizing the need for a home to care for those who were dying alone in the streets of Calcutta, Mother Teresa requested a place from city officials who assigned her a building next to the temple. She called the new home for the dying, "Nirmal Hriday" which means the "Pure Heart." Nirmal Hriday was where homeless, dying individuals were washed, given food, and allowed to die with dignity. It was a struggle to get the people of Kolkata to trust her. They were afraid that she was helping people just so she could convert them to Christianity. This was not her intention. She respected the religions of the people and simply believed that everyone deserved to die in a loving and caring atmosphere. Soon, they realized her true intention and began to bring dying people from the streets to Nirmal Hriday to receive love and care. Even after her death the Missionaries of Charity have continued to establish homes all over the world for the dying, the sick, orphaned children, lepers, the aged, the disabled, HIV and AIDS victims.

Check Your Progress II

Note: Use the space provided for your answer.

1. Explain Gandhian philanthropy.

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2. Discuss Mother Teresian philanthropy as a model for philanthropic ethics in India?

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3.4 LET US SUM UP

Philanthropy is private initiatives for public welfare. Philanthropy is usually done through the donation of money, property, and services. It supports, courageous people working to reduce human suffering and advance human achievement. Philanthropy, with its basic ethical values, affects almost all parts of human culture and a large number of people. Thus, one can see that philanthropy is moral at its core. So the core value of philanthropy is morality. Philanthropic ethics includes the following ethical principles: welfare, generosity, compassion, reciprocity, loving relationship, authenticity, stewardship, concern for the poorest of the poor, solidarity, participation, health care, and social interaction. Philanthropy has a very long tradition in India, and the concept of *dana* (gift-giving) works across religions and cultures in India. Today, the Gandhian and Mother Teresian philanthropic methods with their fundamental option for the poorest of the poor can serve as best models for a relevant philanthropic ethics in the context of our country, especially against the backdrop of the recently launched IGNOU Programme of the MSW Philanthropic Social Work.

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UNIT 4   ETHICAL CODES

Contents

4.0   OBJECTIVES

By the end of this Unit, you should be able:

   to understand the meaning of ethics in Social Work practice;

   to list out the core values of social work profession;

   to trace the evolution of Social Work values and ethics;

   to understand the purpose, values, principles and standards in the code of ethics proposed by NASW;

   to be able to identify the ethical dilemmas and understand the ethical decision making process in social work.

4.1   INTRODUCTION

Many decisions social workers make in their day today practice include important and difficult ethical questions. It is important to consider what guidelines are available to social workers who face difficult ethical decisions about professional values. . It is important to distinguish between ethical and non ethical aspects of Social Work.

The ethical aspects of the profession include questions about the obligations and the duties of practitioners and about the rightness/wrongness of the professional's conduct.

The non ethical aspects of the profession includes questions about technical aspects of practice, e.g., the effectiveness of particular intervention techniques, the proper way to prepare process notes, methods for assessing the nature of the client's problems, or ways of carrying out a cost – benefit analysis. However, it is not easy to separate the moral and non moral aspects of social work.

4.2 THE EVOLUTION OF SOCIAL WORK VALUES AND ETHICS

Discussions of values and ethics have had an important place in social work education and practice since the beginning of profession. Throughout the history of social work, practitioners have been concerned about moral or ethical aspects of their relationship with clients. The meaning of the term *moral* has changed considerably over time – concern with ethical issues in social work has shifted from an emphasis upon the morality of the client to moral aspects of the practitioner's behavior and of the profession.

In order to explore fully the nature of contemporary values and ethics in social work, it is important to understand historical evolution of thinking in fact with respect to the profession's value base, ethical dilemmas in practice, ethical decision making in social work, mal practices and misconduct. Social work is a normative profession - perhaps the most normative of the so called helping professions. In contrast to professions such as psychiatry, psychology and counseling, social work historical roots are firmly grounded in concepts such as justice and fairness.

The evolution of social work values and ethics has had several key stages (Reamer, 1998).

1) The first stage began in the late 19th century when social work was formally inaugurated as a profession. During this period, social work was much more concerned about the morality of a client than about the morality or ethics of the profession or its practitioners

   The English Poor Law Reform Bill of 1834 represents what is perhaps the best example of the importance of morality. The so called classical economists believed that poverty was "the natural state of the wage earning classes" the poor law was seen as an artificial creation of the State which taxed the middle and upper classes in order to provide care for the wayward needy (Walter I. Trattner, 1974)

   One result of the Commission's report was an end to public assistance for the able bodied persons except in public institutions. Moreover, poverty was described in the report as a condition which resulted from the moral inferiority of the individuals.

   A similar attitude prevailed in the United States during this period. Though there were nominal distinctions between the "worthy" and "unworthy" poor, even those who were considered worthy were frequently condemned as moral failures; the protestant ethic encouraged the belief that the poor suffered only from a failure to muster their own resources.

2) The rise of the Settlement House Movement and progressive era in the earlier 20th century marked the beginning of a second key stage in which the aims and value orientations of many social workers shifted from concern about the morality to the need for dramatic social reform

   The settlement house movement, beginning in the United States with the opening of Neighborhood Guild in 1886, marked a significant shift away from the attributions of moral inferiority. They believe that the end of poverty could be realized only as a result of basic social change – by providing more jobs and better working conditions, health care, education and housing. Poverty resulted

not from moral inferiority but from inadequate social conditions, or what became known as a "poverty of opportunity" (Allen F. Davis, 1967)

3) The third key stage began in the late 1940's and early 1950's when concern about the moral dimensions of social work practice intensified. There was more focus on the morality or ethics of the profession and of its practitioners. The profession began to develop ethical guidelines to enhance proper conduct among practitioners. In 1947, after several years of debate and discussion, the delegate conference of the American Association of Social Workers adopted a code of ethics.

There was a significant shift in the meaning of morality in social work when the term appeared in the literature following World War II. There have been organized discussions among all considered central to the profession for instance, individual worth and dignity, self determination, adequate living conditions and acceptance by and respect of others. Also they have included discussions of rules intended to serve as specific guides to social workers' relationship with their clients, colleagues and employers, for example, with regard to protecting a client's right to confidentiality, the worker's responsibility to oppose discrimination and the worker's obligation to avoid conflicts of interest.

4) In the 1960's Social workers shifted considerable attention towards the ethical constructs of social justice, rights and reforms. The National Association of Social Workers (NASW) adopted its first Code of Ethics in 1960. The most visible expression of emerging concern about social work values and ethics was the 1976 publication of Charles S. Levy's "Social Work Ethics".

Contemporary philosophers have attempted to justify ethical decisions in a variety of ways. Their theories represent two major schools of thought.

1) There are those who claim that certain kinds of actions are inherently right or good, right or good as a matter of principle. Advocates of this school of thought are generally referred to as *deontologists* (William K. Frankena, 1973)

2) There are those who argue that certain actions are to be performed not because they are intrinsically good but because they are good by virtue of their consequences. They are generally referred to as *teleologists* (William K. Frankena, 1973). Utilitarian theories, which hold that an action is right if it promotes the maximum good for everyone, have historically being the most popular teleological theories and have served as justification for many decisions made by social workers.

An important example of rules intended to serve as a guide to social workers' actions is the Code of Ethics drafted by National Association of Social Workers (NASW, 1980). The NASW Code of ethics includes principles that were carefully and thoughtfully drafted by members of the NASW Task Force on ethics. The content of the specific principles was influenced by a review of code of ethics developed by other professional organizations and by the contributions of task force members, study groups organized to consider ethical issues in social work and social work practitioners and scholars in general.

4.3 THE NASW *CODE OF ETHICS*

The NASW *Code of Ethics* is intended to serve as a guide to the everyday professional conduct of social workers.

This *Code* includes four sections.

The first Section, "Preamble," summarizes the social work profession's mission and core values.

The second section, "Purpose of the NASW *Code of Ethics*," provides an overview of the *Code*'s main functions and a brief guide for dealing with ethical issues or dilemmas in social work practice.

The third section, "Ethical Principles," presents broad ethical principles, based on social work's core values that inform social work practice.

The final section, "Ethical Standards," includes specific ethical standards to guide social workers' conduct and to provide a basis for adjudication.

First Section – Preamble

Preamble summarizes the social work profession's mission and core values. The Preamble to the Code of Ethics states that it is "intended to serve as a guide to the everyday conduct of members of the social work profession**…………** The social worker is expected to take into consideration all the principles is this code that have a bearing upon any situation in which ethical judgment is to be exercised and professional intervention or conduct is planned" .

The mission of the social work profession is rooted in a set of core values. These core values, embraced by social workers throughout the profession's history, are the foundation of social work's unique purpose and perspective:

service

social justice

dignity and worth of the person

importance of human relationships

integrity

competence

This constellation of core values reflects what is unique to the social work profession. Core values, and the principles that flow from them, must be balanced within the context and complexity of the human experience.

Second Section - Purpose

Purpose of the NASW *Code of Ethics*," provides an overview of the *Code*'s main functions and a brief guide for dealing with ethical issues or dilemmas in social work practice.

Set forth broad ethical principles that reflect the profession's core values and establish ethical standards to guide social work practice

Help social workers identify relevant considerations when professional obligations, conflicts, or ethical uncertainties arise.

Socialize new practitioners to social work's mission, values and ethical standards

Provide ethical standards to which the general public can hold the social work profession accountable

Articulate standards that the profession itself can use to assess whether social workers have engaged in unethical conduct.

Third Section - Ethical Principles

This section presents six broad ethical principles based on social work's core values of service, social justice, dignity and worth of the person, importance of human relationships, integrity, and competence. These principles set forth ideals to which all social workers should aspire. More details on the ethical principles can be had from the annexure.

Fourth Section - Ethical Standards

This section includes 155 specific ethical standards to guide social workers' conduct and provide a basis for adjudication of ethics complaints filed against NASW members.

The standards fall into six categories as follows:

1)   social workers' ethical responsibilities to clients

2)   social workers' ethical responsibilities to colleagues,

3)   social workers' ethical responsibilities in practice settings,

4)   social workers' ethical responsibilities as professionals,

5)   social workers' ethical responsibilities to the social work profession,

6)   social workers' ethical responsibilities to the broader society.

Some of the standards that follow are enforceable guidelines for professional conduct, and some are inspirational. The extent to which each standard is enforceable is a matter of professional judgment to be exercised by those responsible for reviewing alleged violations of ethical standards.

Ethical Responsibilities to Clients

The first section of the code's ethical standards is the most detailed. It addresses a wide range of issues involved in the delivery of services to individuals, families, couples, and small groups of clients. In particular, this section focuses on social workers' commitment to clients, clients' right to self-determination, information consent, professional competence, cultural competence and social diversity, conflicts of interest, privacy and confidentiality, client access to records, sexual relationships and physical contact with clients, sexual harassment, the use of derogatory language, payment for services, clients who lack decision-making capacity, interruption of services, and termination of services.

Ethical Responsibilities to Colleagues

This section of the code addresses issues concerning social workers' relationships with professional colleagues. These include respect for colleagues; proper treatment of confidential information shared by colleagues; interdisciplinary collaboration and disputes among colleagues; consultation with colleagues; referral for services; sexual relationships with and sexual harassment of colleagues; and dealings with impaired, incompetent and unethical colleagues.

Ethical Responsibilities in Practice Settings

This section of the code addresses ethical issues that arise in social service agencies, human service organizations, private practice, and social work education programs. Standards pertain to social work supervision, consultation, education, or training, performance evaluation, client records, billing for services; client transfer; agency administration; continuing education and staff development; commitments to employers and labor-management disputes.

Ethical Responsibilities as Professionals

This section of the code focuses on issues primarily related to social workers' professional integrity. Standards pertain to social workers' competence, obligation to avoid any behavior that discriminates against others, private, conduct, honesty, personal impairment, misrepresentation, solicitation of clients and acknowledging credit.

In addition to emphasizing social workers' obligation to be proficient, the code exhorts social workers to routinely review and critique the professional literature, participate in continuing education, and base their work on recognized knowledge, including empirically based knowledge, relevant to social work practice and ethics.

Ethical Responsibilities to the Profession

Social Workers' ethical responsibilities are not limited to clients, colleagues, and the public at large; they include the social work profession itself. Standards in this section of the code focus on the profession's integrity and social work evaluation and research. The principal these concerning the profession's integrity pertains to social worker's obligation to maintain and promote high standards of practice by engaging in appropriate study and research, teaching, publication, presentations at professional conferences, consultation, service to the community and professional organizations, and legislative testimony.

Ethical Responsibilities to Society at Large

The social work profession has always been committed to social justice. This commitment is clearly and forcefully reflected in the preamble to the code of ethics and in the final section of the code's ethical standards. The standards explicitly highlight social workers' obligation to engage in activities that promote social justice and the general welfare of society "from local to global levels" (standard 6.01). These activities may include facilitating public discussion of social policy issues; providing professional services in public emergencies; engaging in social and political action (for example, lobbying and legislative activity) to address basic human needs; promoting conditions that encourage respect for the diversity of cultures and social diversity, and acting to prevent and eliminate domination, exploitation, and discrimination against any person, group, or class of people.

The ethical standards concern 3 kinds of issues (Reamer, 1994).

i) Mistakes social worker make that have ethical implications, example, leaving confidently material displayed on one's desk in such a way that it can be read by unauthorized persons.

ii) Issues associated with difficult ethical decisions or dilemmas – eg. Whether to disclose confidential information to protect a third party from serious harm

iii) Issues pertaining to social worker misconduct such as exploitation of clients, boundary violations or fraudulent billing for service rendered

Check Your Progress I

Note: Use the space provided for your answer.

1. Discuss the evolution of social work values and ethics.

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2. What are the issues pertaining to ethical standards to guide social workers' conduct?

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4.4 ETHICAL DILEMMAS IN SOCIAL WORK

Social workers encounter a wide range of ethical dilemmas. In general these fall into two groups. (Reamer, 2005)

1) **Ethical dilemmas involving work with individual clients, families and small groups (direct practice)**

   Ethical dilemmas in direct practice involve a number of issues among the most prominent themes are confidentiality and privacy, self determination, divided loyalties, professional boundaries, conflicts of interest and relationship between professional and personal values.

   Example of client's right to confidentiality vs social worker's obligation to protect a third party from harm:

   Confidentiality and privacy

   Social workers can be charged with misconduct if they violate clients' right to confidentiality. The NASW Code of Ethics includes eighteen specific standards pertaining to confidentiality (standards 1.07 [a-r], addressing.

   Clients' right to privacy

   Informed consent required for disclosure

   Protection of third parties from harm

   Notification of clients when social workers expect to disclose confidential information

   Limitations of clients' right to confidentiality

   Confidentiality issues in the delivery of services to families, couples, and small groups

   Disclosure of confidential information to third party payers, the media and during legal proceedings

Protection of the confidentiality of written and electronic records and information transmitted to other parties through the use of electronic devices such as computers, electronic mail, facsimile machines, and telephones

Proper transfer and disposal of confidential records

Protection of confidential information during teaching, training and consultation

Protection of the confidentiality of deceased clients.

Various ethical dilemmas arise in social work related to confidentiality and privacy. Common dilemmas faced by practitioners involve disclosure of confidential information:

1)   to protect a third party-, eg. A social worker who has to decide whether to disclose confidential information about a client who is HIV positive in order to protect the client's lover, who is not aware of her lover's HIV-positive status.

2)   to protect or benefit a client in response to a court order,\

3)   To parents or guardians concerning minor children.

   Self determination and paternalism

   Instances in which social workers believe it may not be appropriate to respect clients' right to self-determination. Often these situations arise when social workers are inclined to interfere with clients' right to self determination "for their own good". These are cases involving professional paternalism.

   Divided loyalties-social workers sometimes find themselves torn between their clients and their employer's interests, when practitioners must choose whether their employers' interests or their clients' interests will take precedence.

   Professional boundaries and conflicts of interest-social workers are trained to maintain clear boundaries in their relationships with clients. Confusion about the worker-client relationship can interfere with the therapeutic goals and process.

   Professional and personal values- some of the most difficult ethical dilemmas that social workers face occur when their personal values conflict with the profession's values.

2)   **Ethical dilemmas involving activities such as community organizing, social policy and planning, administration, research and evaluation (indirect practice).**

   Ethical dilemmas that are prominent in indirect social work practice are the allocation of limited resources, the government and private sector responsibility for social welfare, compliance with regulation and laws, labour management disputes, research and evaluation, the use of deception in social work and whistle blowing etc.

We will discuss these in a slightly broader context:

   The allocation of limited resources

   Social workers frequently find themselves without sufficient resources to administer adequately the policies and programs for which they are responsible. Meager funding, budget cuts, and increased demand for social service often require social workers to make difficult decisions about how to allocate scarce or limited resources.

Government and private sector responsibility for social welfare

As a profession, social worker has always had close ties with government. Many social service programs and much funding on which the profession depends are government sponsored, whether at the national, state, or local levels. The nature of the relationship between social work and government has raised ethical issues, primarily with respect to the nature of government's duty to citizens.

Compliance with regulations and laws

Social work administrators and practitioners sometimes encounter regulations and laws that seem unjust. In these instances, social workers face difficult decisions about their obligation to adhere to or obey these regulations and laws.

Labour management disputes

A significant number of social workers assume management positions during their careers, typically in the form of department directors and agency administrators. Social work administrators sometimes find themselves in the midst of a difficult ethical dilemma when conflict exists between line staff, including other social workers, and administrative superiors or an agency board of Directors.

Research and evaluation

As the profession has matured, social workers have become increasingly more appreciative of the importance of research and evaluation-to evaluate their work, conduct needs assessments and program evaluations etc. Ethical issue arise in social work evaluation and research in a number of ways.

The use of deception

Social workers, like all professionals, understand the need for truth and honesty in their work But in practice some degree of deception and dishonesty is necessary and justifiable. This is an ethical issue

Whistle blowing

Among the most difficult ethical decision social workers faces whether to blow the whistle on a colleague who is engaged in wrong doing and to report the misconduct to supervisors or other authorities.

Professional malpractice and misconduct

The preceding paragraphs have examined the nature of social work values, the process of ethical decision making, and various ethical dilemmas in social work practice. Many ethical issues raise difficult philosophical questions-ex:

Whether social workers are always obligated to be truthful?

Respect to client's right to self determination

How limited resources should be allocated

When social worker's should blow the whistle on unethical practices.

However there are many ethical issues that ethical misconduct and wrongdoing of a sort that may constitute violations of the law, professional code of ethics and publicly enacted regulations. These are the cases that may result in law suits, ethics complaints, or criminal charges filed against social workers. These issues raise legal questions or issues that warrant discipline by a regulatory body such as a professional body of social workers.

These vary from genuine unintentional injury like not obtaining client's consent before sharing confidential records with third parties to gross harmful mistakes- social workers becoming sexually involved with clients, extract money from clients committing fraud against insurance companies.

4.5 THE PROCESS OF ETHICAL DECISION MAKING

No precise formula for resolving ethical dilemmas exists. Reasonable, thoughtful social workers can disagree about the ethical principles and criteria that ought to guide ethical decisions in any given case. But ethicists generally agree that it is important to approach ethical decisions systematically, to follow a series of steps to ensure that all aspects of the ethical dilemma are addressed. By following a series of clearly formulated steps, social workers can enhance the quality of the ethical decisions they make. It is helpful for social workers to follow these steps when attempting to resolve ethical dilemmas:

i) Identify the ethical issues, including the social work values and duties that conflict

ii) Identify the individuals, groups, and organizations likely to be affected by the ethical decision

iii) Tentatively identify all viable courses of action and the participants involved in each, along with the potential benefits and risks for each.

iv) Thoroughly examine the reasons in favor of and opposed to each course of action, considering relevant.

    a. Ethical theories, principles, and guidelines (for example, deontological and teleological-utilitatian perspectives and ethical guidelines based on them)

    b. Codes of ethics and legal principles

    c. Social work practice theory and principles

    d. Personal values (including religious, cultural, and ethnic values and political ideology), particularly those that conflicts with one's own.

v) Consult with colleagues and appropriate reports (such as agency staff, supervisors, agency administrators, attorneys, ethics scholars.)

vi) Make the decisions and document the decision making process.

vii) Monitor, evaluate, and document the decision

4.6 ETHICAL CODES FOR SOCIAL WORKERS IN INDIA

Association of Social Workers India (ASWI) - www.socialworker.net.in

The ASWI code of Ethics identifies core social work values and the principles which underline those values. The identified core values are:

Value 1: Respect for Inherent Dignity and Worth of Persons

Value 2: Pursuit of Social Justice

Value 3: Service to Humanity

Value 4: Integrity of Professional Practice

Value 5: Confidentiality in Professional Practice

Value 6: Competency in Professional Practice

Accompanying the Code of Ethics are Guidelines for Ethical Practice which provide guidance on ethical practice by applying the values and principles in the Code to common areas of social work practice.

Ethics of Social Work Education

According to the Declaration of Ethics for Professional Social Workers, prepared by the Social Work Educators Forum of the Tata Institute of Social Sciences (1997) and revised by the Bombay Association of Trained Social Workers (2002) ,following are the best ethical responsibilities of professional social workers as educators and researchers (Desai, 2004):

Are conversant with the learners' needs, readiness and goals, when teaching and training

Regularly update knowledge about social work profession in general and the subjects they teach, through field experience, update reading and training

Impact knowledge, inculcate attitudes and develop skills within the value framework of the profession, while teaching and training

Recognize the importance of partnership between practitioners and educators for the purpose of social work education and training.

Develop a nurturing relationship with students, encouraging openness, critical inquiry and self-study.

Undertake people-centered field action projects as a demonstration of innovation to promote the well-being of people and for research and documentation, training and replication, whenever possible.

Contribute to the knowledge base of social work education through practice wisdom, documentation as well as research.

Expose the students to the professional associations and orient them about their role in developing and strengthening them

Carefully select the topic for research considering its possible consequences for those studied, when conducting a research

Do not cause the respondents any physical or mental discomfort, distress or harm, through research.

Consider the informants of research as co-partners in understanding the phenomenon

Share their research objectives with them and get their informed and voluntary consent, respect their knowledge and attitude about their life situation, and share/interpret the findings with them

Protect the confidentiality of the information shared by them and use the findings for their benefit, by recommending and promoting policies and programmes concerning them

Provide information and referral services to them, as and when necessary, during the process of data collection.

Dissociate from or do not engage in any research activity, which requires manipulation, distortion or falsification of data or findings.

4.7 WHAT CAN SOCIAL WORKERS DO TO STRENGHTHEN THE SOCIAL WORK VALUES AND ETHICS?

1) Training and education programmes can sharpen the focus on Social Work values and ethics. Social work education programmes and social work agencies can incorporate these topics in their curricular and training agendas more deliberately. Students and practitioners should be systematically exposed to debates about social work values and their influence on the professions' mission; the kinds of ethical dilemmas in social work and strategies for ethical decision making and the problems of professional mis-conduct and malpractice.

2) Conferences sponsored by Professional associations and agencies are the principle source of continuing education for many social workers and these regularly scheduled events provide a valuable opportunity continually to remind practitioners of the central importance of professional values and ethics.

3) Social Workers must contribute to the growing fund of scholarship on professional values and ethics. More empirical research and theoretical development and need to occur in order to enhance social workers' grasp of such topics as the criteria and procedures that social workers use to make ethical decisions, practitioners' beliefs about what is ethically acceptable and unacceptable in a variety of circumstances, the nature of ethical dilemmas encountered by social workers working in various practice settings and positions, and the effectiveness of education and training on values and ethics.

4) A strong national professional Association of social workers should serve as a regulatory body to propose code of ethics and review complaints against violations of specific standards in the association's code of ethics.

More likely increased education, training and scholarship will stir up even more debate and controversy and even more questions. This however, is not a problem, for the nature of values and ethics is such that unresolved questions are an ethical feature. Increased controversy and constructive debate among social workers who are well informed about values, ethical dilemmas, ethical decision making, and professional misconduct will enhance the likelihood that decisions and policies will be carefully thought about.

Check Your Progress II

Note: Use the space provided for your answer.

1) Identify instances from your field experiences where controversies on practice decisions emerge.

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4.8   LET US SUM UP

This unit lists out the core values of social work profession. The evolution of social work values and ethics is traced and the purpose, values, principles and standards in the code of ethics proposed by NASW has been explained. Finally, the ethical dilemmas and the ethical decision making process in social work has been elaborated.

4.9   FURTHER READINGS AND REFERENCES

Walter I. Trattner, *From Poor Law to Welfare State* (New York: Free Press, 1974) pp. 46-47

Allen F. Davis, *Spearheads for reform* (New York: Oxford University Press, 1967), PP. 18-20

NASW, *Code of Ethics* (rev. ed; New York: National Association of Social Workers, 1980)

William K. Frankena, *Ethics* (2d ed.; Englewood Cliffs, N.J.: Prentice-Hall, 1973), pp.95-116

Frederic G. Reamer, *Ethical Dilemmas in Social Service* (Columbia University Press, New York, 1982)

Murali Desai, *Methodology of Progressive Social Work Education* (Rawat Publications, 2004)

4.10   ANNEXURE

Approved by the 1996 NASW Delegate Assembly and revised by the 1999 NASW Delegate Assembly

The NASW *Code of Ethics* is intended to serve as a guide to the everyday professional conduct of social workers. This *Code* includes four sections. The first Section, "Preamble," summarizes the social work profession's mission and core values. The second section, "Purpose of the NASW *Code of Ethics*," provides an overview of the *Code*'s main functions and a brief guide for dealing with ethical issues or dilemmas in social work practice. The third section, "Ethical Principles," presents broad ethical principles, based on social work's core values that inform social work practice. The final section, "Ethical Standards," includes specific ethical standards to guide social workers' conduct and to provide a basis for adjudication.

Preamble

The primary mission of the social work profession is to enhance human wellbeing and help meet the basic human needs of all people, with particular attention to the needs and empowerment of people who are vulnerable, oppressed, and living in poverty. A historic and defining feature of social work is the profession's focus on individual wellbeing in a social context and the wellbeing of society. Fundamental to social work is attention to the environmental forces that create, contribute to, and address problems in living.

Social workers promote social justice and social change with and on behalf of clients. "Clients" is used inclusively to refer to individuals, families, groups, organizations, and communities. Social workers are sensitive to cultural and ethnic diversity and strive to end discrimination, oppression, poverty, and other forms of social injustice.

These activities may be in the form of direct practice, community organizing, supervision, consultation administration, advocacy, social and political action, policy development and implementation, education, and research and evaluation. Social workers seek to enhance the capacity of people to address their own needs. Social workers also seek to promote the responsiveness of organizations, communities, and other social institutions to individuals' needs and social problems.

The mission of the social work profession is rooted in a set of core values. These core values, embraced by social workers throughout the profession's history, are the foundation of social work's unique purpose and perspective:

> service
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> social justice
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> dignity and worth of the person
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> importance of human relationships
>
> integrity
>
> competence

This constellation of core values reflects what is unique to the social work profession. Core values, and the principles that flow from them, must be balanced within the context and complexity of the human experience.

Purpose of the NASW Code of Ethics

Professional ethics are at the core of social work. The profession has an obligation to articulate its basic values, ethical principles, and ethical standards. The *NASW Code of Ethics* sets forth these values, principles, and standards to guide social workers' conduct. The *Code* is relevant to all social workers and social work students, regardless of their professional functions, the settings in which they work, or the populations they serve.

The *NASW Code of Ethics* serves six purposes:

1. The Code identifies core values on which social work's mission is based.

2. The *Code* summarizes broad ethical principles that reflect the profession's core values and establishes a set of specific ethical standards that should be used to guide social work practice.

3. The *Code* is designed to help social workers identify relevant considerations when professional obligations conflict or ethical uncertainties arise.

4. The *Code* provides ethical standards to which the general public can hold the social work profession accountable.

5. The *Code* socializes practitioners new to the field to social work's mission, values, ethical principles, and ethical standards.

6. The *Code* articulates standards that the social work profession itself can use to assess whether social workers have engaged in unethical conduct. NASW has formal procedures to adjudicate ethics complaints filed against its members.* In subscribing to this *Code*, social workers are required to cooperate in its implementation, participate in NASW adjudication proceedings, and abide by any NASW disciplinary rulings or sanctions based on it.

The *Code* offers a set of values, principles, and standards to guide decision making and conduct when ethical issues arise. It does not provide a set of rules that prescribe how social workers should act in all situations. Specific applications of the *Code*

must take into account the context in which it is being considered and the possibility of conflicts among the *Code's* values, principles, and standards. Ethical responsibilities flow from all human relationships, from the personal and familial to the social and professional.

Further, the *NASW Code of Ethics* does not specify which values, principles, and standards are most important and ought to outweigh others in instances when they conflict. Reasonable differences of opinion can and do exist among social workers with respect to the ways in which values, ethical principles, and ethical standards should be rank ordered when they conflict. Ethical decision making in a given situation must apply the informed judgment of the individual social worker and should also consider how the issues would be judged in a peer review process where the ethical standards of the profession would be applied.

Ethical decision making is a process. There are many instances in social work where simple answers are not available to resolve complex ethical issues. Social workers should take into consideration all the values, principles, and standards in this *Code* that are relevant to any situation in which ethical judgment is warranted. Social workers' decisions and actions should be consistent with the spirit as well as the letter of this *Code*.

In addition to this *Code*, there are many other sources of information about ethical thinking that may be useful. Social workers should consider ethical theory and principles generally, social work theory and research, laws, regulations, agency policies, and other relevant codes of ethics, recognizing that among codes of ethics social workers should consider the *NASW Code of Ethics* as their primary source. Social workers also should be aware of the impact on ethical decision making of their clients' and their own personal values and cultural and religious beliefs and practices. They should be aware of any conflicts between personal and professional values and deal with them responsibly. For additional guidance social workers should consult the relevant literature on professional ethics and ethical decision making and seek appropriate consultation when faced with ethical dilemmas. This may involve consultation with an agency based or social work organization's ethics committee, a regulatory body, knowledgeable colleagues, supervisors, or legal counsel.

Instances may arise when social workers' ethical obligations conflict with agency policies or relevant laws or regulations. When such conflicts occur, social workers must make a responsible effort to resolve the conflict in a manner that is consistent with the values, principles, and standards expressed in this Code. If a reasonable resolution of the conflict does not appear possible, social workers should seek proper consultation before making a decision.

The *NASW Code of Ethics* is to be used by NASW and by individuals, agencies, organizations, and bodies (such as licensing and regulatory boards, professional liability insurance providers, courts of law, agency boards of directors, government agencies, and other professional groups) that choose to adopt it or use it as a frame of reference. Violation of standards in this *Code* does not automatically imply legal liability or violation of the law. Such determination can only be made in the context of legal and judicial proceedings. Alleged violations of the *Code* would be subject to a peer review process. Such processes are generally separate from legal or administrative procedures and insulated from legal review or proceedings to allow the profession to counsel and discipline its own members.

A code of ethics cannot guarantee ethical behavior. Moreover, a code of ethics cannot resolve all ethical issues or disputes or capture the richness and complexity

involved in striving to make responsible choices within a moral community. Rather, a code of ethics sets forth values, ethical principles, and ethical standards to which professionals aspire and by which their actions can be judged. Social workers' ethical behavior should result from their personal commitment to engage in ethical practice. The *NASW Code of Ethics* reflects the commitment of all social workers to uphold the profession's values and to act ethically. Principles and standards must be applied by individuals of good character who discern moral questions and, in good faith, seek to make reliable ethical judgments.

Ethical Principles

The following broad ethical principles are based on social work's core values of service, social justice, dignity and worth of the person, importance of human relationships, integrity, and competence. These principles set forth ideals to which all social workers should aspire.

Value: *Service*

Ethical Principle: *Social workers' primary goal is to help people in need and to address social problems.*

Social workers elevate service to others above self interest. Social workers draw on their knowledge, values, and skills to help people in need and to address social problems. Social workers are encouraged to volunteer some portion of their professional skills with no expectation of significant financial return (pro bono service).

Value: *Social Justice*

Ethical Principle: *Social workers challenge social injustice.*

Social workers pursue social change, particularly with and on behalf of vulnerable and oppressed individuals and groups of people. Social workers' social change efforts are focused primarily on issues of poverty, unemployment, discrimination, and other forms of social injustice. These activities seek to promote sensitivity to and knowledge about oppression and cultural and ethnic diversity. Social workers strive to ensure access to needed information, services, and resources; equality of opportunity; and meaningful participation in decision making for all people.

Value: *Dignity and Worth of the Person*

Ethical Principle: *Social workers respect the inherent dignity and worth of the person.*

Social workers treat each person in a caring and respectful fashion, mindful of individual differences and cultural and ethnic diversity. Social workers promote clients' socially responsible self-determination. Social workers seek to enhance clients' capacity and opportunity to change and to address their own needs. Social workers are cognizant of their dual responsibility to clients and to the broader society. They seek to resolve conflicts between clients' interests and the broader society's interests in a socially responsible manner consistent with the values, ethical principles, and ethical standards of the profession.

Value: *Importance of Human Relationships*

Ethical Principle: *Social workers recognize the central importance of human relationships.*

Social workers understand that relationships between and among people are an important vehicle for change. Social workers engage people as partners in the helping process. Social workers seek to strengthen relationships among people in a purposeful

effort to promote, restore, maintain, and enhance the wellbeing of individuals, families, social groups, organizations, and communities.

Value: *Integrity*

Ethical Principle: *Social workers behave in a trustworthy manner.*

Social workers are continually aware of the profession's mission, values, ethical principles, and ethical standards and practice in a manner consistent with them. Social workers act honestly and responsibly and promote ethical practices on the part of the organizations with which they are affiliated.

Value: *Competence*

Ethical Principle: *Social workers practice within their areas of competence and develop and enhance their professional expertise.*

Social workers continually strive to increase their professional knowledge and skills and to apply them in practice. Social workers should aspire to contribute to the knowledge base of the profession.

Ethical Standards

The following ethical standards are relevant to the professional activities of all social workers. These standards concern social workers' ethical responsibilities (1) to clients, (2) to colleagues, (3) in practice settings, (4) as professionals, (5) to the social work profession, and (6) to the broader society.

Some of the standards that follow are enforceable guidelines for professional conduct, and some are inspirational. The extent to which each standard is enforceable is a matter of professional judgment to be exercised by those responsible for reviewing alleged violations of ethical standards.

1. SOCIAL WORKERS' ETHICAL RESPONSIBILITIES TO CLIENTS

1.01 Commitment to Clients

Social workers' primary responsibility is to promote the wellbeing of clients. In general, clients' interests are primary. However, social workers' responsibility to the larger society or specific legal obligations may on limited occasions supersede the loyalty owed clients, and clients should be so advised. (Examples include when a social worker is required by law to report that a client has abused a child or has threatened to harm self or others.)

1.02 Self Determination

Social workers respect and promote the right of clients to self-determination and assist clients in their efforts to identify and clarify their goals. Social workers may limit clients' right to self-determination when, in the social workers' professional judgment, clients' actions or potential actions pose a serious, foreseeable, and imminent risk to themselves or others.

1.03 Informed Consent

(a) Social workers should provide services to clients only in the context of a professional relationship based, when appropriate, on valid informed consent. Social workers should use clear and understandable language to inform clients of the purpose of the services, risks related to the services, limits to services because of the requirements of a third-party payer, relevant costs, reasonable

alternatives, clients' right to refuse or withdraw consent, and the time frame covered by the consent. Social workers should provide clients with an opportunity to ask questions.

(b) In instances when clients are not literate or have difficulty understanding the primary language used in the practice setting, social workers should take steps to ensure clients' comprehension. This may include providing clients with a detailed verbal explanation or arranging for a qualified interpreter or translator whenever possible.

(c) In instances when clients lack the capacity to provide informed consent, social workers should protect clients' interests by seeking permission from an appropriate third party, informing clients consistent with the clients' level of understanding. In such instances social workers should seek to ensure that the third party acts in a manner consistent with clients' wishes and interests. Social workers should take reasonable steps to enhance such clients' ability to give informed consent.

(d) In instances when clients are receiving services involuntarily, social workers should provide information about the nature and extent of services and about the extent of clients' right to refuse service.

(e) Social workers who provide services via electronic media (such as computer, telephone, radio, and television) should inform recipients of the limitations and risks associated with such services.

(f) Social workers should obtain clients' informed consent before audio taping or videotaping clients or permitting observation of services to clients by a third party.

1.04 Competence

(a) Social workers should provide services and represent themselves as competent only within the boundaries of their education, training, license, certification, consultation received, supervised experience, or other relevant professional experience.

(b) Social workers should provide services in substantive areas or use intervention techniques or approaches that are new to them only after engaging in appropriate study, training, consultation, and supervision from people who are competent in those interventions or techniques.

(c) When generally recognized standards do not exist with respect to an emerging area of practice, social workers should exercise careful judgment and take responsible steps (including appropriate education, research, training, consultation, and supervision) to ensure the competence of their work and to protect clients from harm.

1.05 Cultural Competence and Social Diversity

(a) Social workers should understand culture and its function in human behavior and society, recognizing the strengths that exist in all cultures.

(b) Social workers should have a knowledge base of their clients' cultures and be able to demonstrate competence in the provision of services that are sensitive to clients' cultures and to differences among people and cultural groups.

(c) Social workers should obtain education about and seek to understand the nature of social diversity and oppression with respect to race, ethnicity, national origin,

color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, and mental or physical disability.

1.06 Conflicts of Interest

(a) Social workers should be alert to and avoid conflicts of interest that interfere with the exercise of professional discretion and impartial judgment. Social workers should inform clients when a real or potential conflict of interest arises and take reasonable steps to resolve the issue in a manner that makes the clients' interests primary and protects clients' interests to the greatest extent possible. In some cases, protecting clients' interests may require termination of the professional relationship with proper referral of the client.

(b) Social workers should not take unfair advantage of any professional relationship or exploit others to further their personal, religious, political, or business interests.

(c) Social workers should not engage in dual or multiple relationships with clients or former clients in which there is a risk of exploitation or potential harm to the client. In instances when dual or multiple relationships are unavoidable, social workers should take steps to protect clients and are responsible for setting clear, appropriate, and culturally sensitive boundaries. (Dual or multiple relationships occur when social workers relate to clients in more than one relationship, whether professional, social, or business. Dual or multiple relationships can occur simultaneously or consecutively.)

(d) When social workers provide services to two or more people who have a relationship with each other (for example, couples, family members), social workers should clarify with all parties which individuals will be considered clients and the nature of social workers' professional obligations to the various individuals who are receiving services. Social workers who anticipate a conflict of interest among the individuals receiving services or who anticipate having to perform in potentially conflicting roles (for example, when a social worker is asked to testify in a child custody dispute or divorce proceedings involving clients) should clarify their role with the parties involved and take appropriate action to minimize any conflict of interest.

1.07 Privacy and Confidentiality

(a) Social workers should respect clients' right to privacy. Social workers should not solicit private information from clients unless it is essential to providing services or conducting social work evaluation or research. Once private information is shared, standards of confidentiality apply.

(b) Social workers may disclose confidential information when appropriate with valid consent from a client or a person legally authorized to consent on behalf of a client.

(c) Social workers should protect the confidentiality of all information obtained in the course of professional service, except for compelling professional reasons. The general expectation that social workers will keep information confidential does not apply when disclosure is necessary to prevent serious, foreseeable, and imminent harm to a client or other identifiable person. In all instances, social workers should disclose the least amount of confidential information necessary to achieve the desired purpose; only information that is directly relevant to the purpose for which the disclosure is made should be revealed.

(d) Social workers should inform clients, to the extent possible, about the disclosure of confidential information and the potential consequences, when feasible before the disclosure is made. This applies whether social workers disclose confidential information on the basis of a legal requirement or client consent.

(e) Social workers should discuss with clients and other interested parties the nature of confidentiality and limitations of clients' right to confidentiality. Social workers should review with clients circumstances where confidential information may be requested and where disclosure of confidential information may be legally required. This discussion should occur as soon as possible in the social worker-client relationship and as needed throughout the course of the relationship.

(f) When social workers provide counseling services to families, couples, or groups, social workers should seek agreement among the parties involved concerning each individual's right to confidentiality and obligation to preserve the confidentiality of information shared by others. Social workers should inform participants in family, couples, or group counseling that social workers cannot guarantee that all participants will honor such agreements.

(g) Social workers should inform clients involved in family, couples, marital, or group counseling of the social worker's, employer's, and agency's policy concerning the social worker's disclosure of confidential information among the parties involved in the counseling.

(h) Social workers should not disclose confidential information to third party payers unless clients have authorized such disclosure.

(i) Social workers should not discuss confidential information in any setting unless privacy can be ensured. Social workers should not discuss confidential information in public or semipublic areas such as hallways, waiting rooms, elevators, and restaurants.

(j) Social workers should protect the confidentiality of clients during legal proceedings to the extent permitted by law. When a court of law or other legally authorized body orders social workers to disclose confidential or privileged information without a client's consent and such disclosure could cause harm to the client, social workers should request that the court withdraw the order or limit the order as narrowly as possible or maintain the records under seal, unavailable for public inspection.

(k) Social workers should protect the confidentiality of clients when responding to requests from members of the media.

(l) Social workers should protect the confidentiality of clients' written and electronic records and other sensitive information. Social workers should take reasonable steps to ensure that clients' records are stored in a secure location and that clients' records are not available to others who are not authorized to have access.

(m) Social workers should take precautions to ensure and maintain the confidentiality of information transmitted to other parties through the use of computers, electronic mail, facsimile machines, telephones and telephone answering machines, and other electronic or computer technology. Disclosure of identifying information should be avoided whenever possible.

(n) Social workers should transfer or dispose of clients' records in a manner that protects clients' confidentiality and is consistent with state statutes governing records and social work licensure.

(o) Social workers should take reasonable precautions to protect client confidentiality in the event of the social worker's termination of practice, incapacitation, or death.

(p) Social workers should not disclose identifying information when discussing clients for teaching or training purposes unless the client has consented to disclosure of confidential information.

(q) Social workers should not disclose identifying information when discussing clients with consultants unless the client has consented to disclosure of confidential information or there is a compelling need for such disclosure.

(r) Social workers should protect the confidentiality of deceased clients consistent with the preceding standards.

1.08 Access to Records

(a) Social workers should provide clients with reasonable access to records concerning the clients. Social workers who are concerned that clients' access to their records could cause serious misunderstanding or harm to the client should provide assistance in interpreting the records and consultation with the client regarding the records. Social workers should limit clients' access to their records, or portions of their records, only in exceptional circumstances when there is compelling evidence that such access would cause serious harm to the client. Both clients' requests and the rationale for withholding some or all of the record should be documented in clients' files.

(b) When providing clients with access to their records, social workers should take steps to protect the confidentiality of other individuals identified or discussed in such records.

1.09 Sexual Relationships

(a) Social workers should under no circumstances engage in sexual activities or sexual contact with current clients, whether such contact is consensual or forced.

(b) Social workers should not engage in sexual activities or sexual contact with clients' relatives or other individuals with whom clients maintain a close personal relationship when there is a risk of exploitation or potential harm to the client. Sexual activity or sexual contact with clients' relatives or other individuals with whom clients maintain a personal relationship has the potential to be harmful to the client and may make it difficult for the social worker and client to maintain appropriate professional boundaries. Social workers—not their clients, their clients' relatives, or other individuals with whom the client maintains a personal relationship—assume the full burden for setting clear, appropriate, and culturally sensitive boundaries.

(c) Social workers should not engage in sexual activities or sexual contact with former clients because of the potential for harm to the client. If social workers engage in conduct contrary to this prohibition or claim that an exception to this prohibition is warranted because of extraordinary circumstances, it is social workers—not their clients—who assume the full burden of demonstrating that the former client has not been exploited, coerced, or manipulated, intentionally or unintentionally.

(d) Social workers should not provide clinical services to individuals with whom they have had a prior sexual relationship. Providing clinical services to a former sexual partner has the potential to be harmful to the individual and is likely to

make it difficult for the social worker and individual to maintain appropriate professional boundaries.

1.10 Physical Contact

Social workers should not engage in physical contact with clients when there is a possibility of psychological harm to the client as a result of the contact (such as cradling or caressing clients). Social workers who engage in appropriate physical contact with clients are responsible for setting clear, appropriate, and culturally sensitive boundaries that govern such physical contact.

1.11 Sexual Harassment

Social workers should not sexually harass clients. Sexual harassment includes sexual advances, sexual solicitation, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

1.12 Derogatory Language

Social workers should not use derogatory language in their written or verbal communications to or about clients. Social workers should use accurate and respectful language in all communications to and about clients.

1.13 Payment for Services

(a) When setting fees, social workers should ensure that the fees are fair, reasonable, and commensurate with the services performed. Consideration should be given to clients' ability to pay.

(b) Social workers should avoid accepting goods or services from clients as payment for professional services. Bartering arrangements, particularly involving services, create the potential for conflicts of interest, exploitation, and inappropriate boundaries in social workers' relationships with clients. Social workers should explore and may participate in bartering only in very limited circumstances when it can be demonstrated that such arrangements are an accepted practice among professionals in the local community, considered to be essential for the provision of services, negotiated without coercion, and entered into at the client's initiative and with the client's informed consent. Social workers who accept goods or services from clients as payment for professional services assume the full burden of demonstrating that this arrangement will not be detrimental to the client or the professional relationship.

(c) Social workers should not solicit a private fee or other remuneration for providing services to clients who are entitled to such available services through the social workers' employer or agency.

1.14 Clients Who Lack Decision Making Capacity

When social workers act on behalf of clients who lack the capacity to make informed decisions, social workers should take reasonable steps to safeguard the interests and rights of those clients.

1.15 Interruption of Services

Social workers should make reasonable efforts to ensure continuity of services in the event that services are interrupted by factors such as unavailability, relocation, illness, disability, or death.

1.16 Termination of Services

(a) Social workers should terminate services to clients and professional relationships with them when such services and relationships are no longer required or no longer serve the clients' needs or interests.

(b) Social workers should take reasonable steps to avoid abandoning clients who are still in need of services. Social workers should withdraw services precipitously only under unusual circumstances, giving careful consideration to all factors in the situation and taking care to minimize possible adverse effects. Social workers should assist in making appropriate arrangements for continuation of services when necessary.

(c) Social workers' fee for service settings may terminate services to clients who are not paying an overdue balance if the financial contractual arrangements have been made clear to the client, if the client does not pose an imminent danger to self or others, and if the clinical and other consequences of the current nonpayment have been addressed and discussed with the client.

(d) Social workers should not terminate services to pursue a social, financial, or sexual relationship with a client.

(e) Social workers who anticipate the termination or interruption of services to clients should notify clients promptly and seek the transfer, referral, or continuation of services in relation to the clients' needs and preferences.

(f) Social workers who are leaving an employment setting should inform clients of appropriate options for the continuation of services and of the benefits and risks of the options.

2. SOCIAL WORKERS' ETHICAL RESPONSIBILITIES TO COLLEAGUES

2.01 Respect

(a) Social workers should treat colleagues with respect and should represent accurately and fairly the qualifications, views, and obligations of colleagues.
(b) Social workers should avoid unwarranted negative criticism of colleagues in communications with clients or with other professionals. Unwarranted negative criticism may include demeaning comments that refer to colleagues' level of competence or to individuals' attributes such as race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, and mental or physical disability.
(c) Social workers should cooperate with social work colleagues and with colleagues of other professions when such cooperation serves the wellbeing of clients.

2.02 Confidentiality

Social workers should respect confidential information shared by colleagues in the course of their professional relationships and transactions. Social workers should ensure that such colleagues understand social workers' obligation to respect confidentiality and any exceptions related to it.

2.03 Interdisciplinary Collaboration

(a) Social workers who are members of an interdisciplinary team should participate in and contribute to decisions that affect the wellbeing of clients by drawing on

the perspectives, values, and experiences of the social work profession. Professional and ethical obligations of the interdisciplinary team as a whole and of its individual members should be clearly established.

(b) Social workers for whom a team decision raises ethical concerns should attempt to resolve the disagreement through appropriate channels. If the disagreement cannot be resolved, social workers should pursue other avenues to address their concerns consistent with client wellbeing.

2.04 Disputes Involving Colleagues

(a) Social workers should not take advantage of a dispute between a colleague and an employer to obtain a position or otherwise advance the social workers' own interests.

(b) Social workers should not exploit clients in disputes with colleagues or engage clients in any inappropriate discussion of conflicts between social workers and their colleagues.

2.05 Consultation

(a) Social workers should seek the advice and counsel of colleagues whenever such consultation is in the best interests of clients.

(b) Social workers should keep themselves informed about colleagues' areas of expertise and competencies. Social workers should seek consultation only from colleagues who have demonstrated knowledge, expertise, and competence related to the subject of the consultation.

(c) When consulting with colleagues about clients, social workers should disclose the least amount of information necessary to achieve the purposes of the consultation.

2.06 Referral for Services

(a) Social workers should refer clients to other professionals when the other professionals' specialized knowledge or expertise is needed to serve clients fully or when social workers believe that they are not being effective or making reasonable progress with clients and that additional service is required.

(b) Social workers who refer clients to other professionals should take appropriate steps to facilitate an orderly transfer of responsibility. Social workers who refer clients to other professionals should disclose, with clients' consent, all pertinent information to the new service providers.

(c) Social workers are prohibited from giving or receiving payment for a referral when no professional service is provided by the referring social worker.

2.07 Sexual Relationships

(a) Social workers who function as supervisors or educators should not engage in sexual activities or contact with supervisees, students, trainees, or other colleagues over whom they exercise professional authority.

(b) Social workers should avoid engaging in sexual relationships with colleagues when there is potential for a conflict of interest. Social workers who become involved in, or anticipate becoming involved in, a sexual relationship with a colleague have a duty to transfer professional responsibilities, when necessary, to avoid a conflict of interest.

2.08 Sexual Harassment

Social workers should not sexually harass supervisees, students, trainees, or colleagues. Sexual harassment includes sexual advances, sexual solicitation, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

2.09 Impairment of Colleagues

(a) Social workers who have direct knowledge of a social work colleague's impairment that is due to personal problems, psychosocial distress, substance abuse, or mental health difficulties and that interferes with practice effectiveness should consult with that colleague when feasible and assist the colleague in taking remedial action.

(b) Social workers who believe that a social work colleague's impairment interferes with practice effectiveness and that the colleague has not taken adequate steps to address the impairment should take action through appropriate channels established by employers, agencies, NASW, licensing and regulatory bodies, and other professional organizations.

2.10 Incompetence of Colleagues

(a) Social workers who have direct knowledge of a social work colleague's incompetence should consult with that colleague when feasible and assist the colleague in taking remedial action.

(b) Social workers who believe that a social work colleague is incompetent and has not taken adequate steps to address the incompetence should take action through appropriate channels established by employers, agencies, NASW, licensing and regulatory bodies, and other professional organizations.

2.11 Unethical Conduct of Colleagues

(a) Social workers should take adequate measures to discourage, prevent, expose, and correct the unethical conduct of colleagues.

(b) Social workers should be knowledgeable about established policies and procedures for handling concerns about colleagues' unethical behavior. Social workers should be familiar with national, state, and local procedures for handling ethical complaints. These include policies and procedures created by NASW, licensing and regulatory bodies, employers, agencies, and other professional organizations.

(c) Social workers who believe that a colleague has acted unethically should seek resolution by discussing their concerns with the colleague when feasible and when such discussion is likely to be productive.

(d) When necessary, social workers who believe that a colleague has acted unethically should take action through appropriate formal channels (such as contacting a state licensing board or regulatory body, an NASW committee on inquiry, or other professional ethics committees).

(e) Social workers should defend and assist colleagues who are unjustly charged with unethical conduct.

3. SOCIAL WORKERS' ETHICAL RESPONSIBILITIES IN PRACTICE SETTINGS

3.01 Supervision and Consultation

(a) Social workers who provide supervision or consultation should have the necessary knowledge and skill to supervise or consult appropriately and should do so only within their areas of knowledge and competence.

(b) Social workers who provide supervision or consultation are responsible for setting clear, appropriate, and culturally sensitive boundaries.

(c) Social workers should not engage in any dual or multiple relationships with supervisees in which there is a risk of exploitation of or potential harm to the supervisee.

(d) Social workers who provide supervision should evaluate supervisees' performance in a manner that is fair and respectful.

3.02 Education and Training

(a) Social workers who function as educators, field instructors for students, or trainers should provide instruction only within their areas of knowledge and competence and should provide instruction based on the most current information and knowledge available in the profession.

(b) Social workers who function as educators or field instructors for students should evaluate students' performance in a manner that is fair and respectful.

(c) Social workers who function as educators or field instructors for students should take reasonable steps to ensure that clients are routinely informed when services are being provided by students.

(d) Social workers who function as educators or field instructors for students should not engage in any dual or multiple relationships with students in which there is a risk of exploitation or potential harm to the student. Social work educators and field instructors are responsible for setting clear, appropriate, and culturally sensitive boundaries.

3.03 Performance Evaluation

Social workers who have responsibility for evaluating the performance of others should fulfill such responsibility in a fair and considerate manner and on the basis of clearly stated criteria.

3.04 Client Records

(a) Social workers should take reasonable steps to ensure that documentation in records is accurate and reflects the services provided.

(b) Social workers should include sufficient and timely documentation in records to facilitate the delivery of services and to ensure continuity of services provided to clients in the future.

(c) Social workers' documentation should protect clients' privacy to the extent that is possible and appropriate and should include only information that is directly relevant to the delivery of services.

(d) Social workers should store records following the termination of services to ensure reasonable future access. Records should be maintained for the number of years required by state statutes or relevant contracts.

3.05 Billing

Social workers should establish and maintain billing practices that accurately reflect the nature and extent of services provided and that identify who provided the service in the practice setting.

3.06 Client Transfer

(a) When an individual who is receiving services from another agency or colleague contacts a social worker for services, the social worker should carefully consider the client's needs before agreeing to provide services. To minimize possible confusion and conflict, social workers should discuss with potential clients the nature of the clients' current relationship with other service providers and the implications, including possible benefits or risks, of entering into a relationship with a new service provider.

(b) If a new client has been served by another agency or colleague, social workers should discuss with the client whether consultation with the previous service provider is in the client's best interest.

3.07 Administration

(a) Social work administrators should advocate within and outside their agencies for adequate resources to meet clients' needs.

(b) Social workers should advocate for resource allocation procedures that are open and fair. When not all clients' needs can be met, an allocation procedure should be developed that is nondiscriminatory and based on appropriate and consistently applied principles.

(c) Social workers who are administrators should take reasonable steps to ensure that adequate agency or organizational resources are available to provide appropriate staff supervision.

(d) Social work administrators should take reasonable steps to ensure that the working environment for which they are responsible is consistent with and encourages compliance with the *NASW Code of Ethics*. Social work administrators should take reasonable steps to eliminate any conditions in their organizations that violate, interfere with, or discourage compliance with the *Code*.

3.08 Continuing Education and Staff Development

Social work administrators and supervisors should take reasonable steps to provide or arrange for continuing education and staff development for all staff for whom they are responsible. Continuing education and staff development should address current knowledge and emerging developments related to social work practice and ethics.

3.09 Commitments to Employers

(a) Social workers generally should adhere to commitments made to employers and employing organizations.

(b) Social workers should work to improve employing agencies' policies and procedures and the efficiency and effectiveness of their services.

(c) Social workers should take reasonable steps to ensure that employers are aware of social workers' ethical obligations as set forth in the *NASW Code of Ethics* and of the implications of those obligations for social work practice.

(d) Social workers should not allow an employing organization's policies, procedures, regulations, or administrative orders to interfere with their ethical practice of social work. Social workers should take reasonable steps to ensure that their employing organizations' practices are consistent with the *NASW Code of Ethics*.

(e) Social workers should act to prevent and eliminate discrimination in the employing organization's work assignments and in its employment policies and practices.

(f) Social workers should accept employment or arrange student field placements only in organizations that exercise fair personnel practices.

(g) Social workers should be diligent stewards of the resources of their employing organizations, wisely conserving funds where appropriate and never misappropriating funds or using them for unintended purposes.

3.10 Labor Management Disputes

(a) Social workers may engage in organized action, including the formation of and participation in labor unions, to improve services to clients and working conditions.

(b) The actions of social workers who are involved in labor management disputes, job actions, or labor strikes should be guided by the profession's values, ethical principles, and ethical standards. Reasonable differences of opinion exist among social workers concerning their primary obligation as professionals during an actual or threatened labor strike or job action. Social workers should carefully examine relevant issues and their possible impact on clients before deciding on a course of action.

4. SOCIAL WORKERS' ETHICAL RESPONSIBILITIES AS PROFESSIONALS

4.01 Competence

(a) Social workers should accept responsibility or employment only on the basis of existing competence or the intention to acquire the necessary competence.

(b) Social workers should strive to become and remain proficient in professional practice and the performance of professional functions. Social workers should critically examine and keep current with emerging knowledge relevant to social work. Social workers should routinely review the professional literature and participate in continuing education relevant to social work practice and social work ethics.

(c) Social workers should base practice on recognized knowledge, including empirically based knowledge, relevant to social work and social work ethics.

4.02 Discrimination

Social workers should not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, or mental or physical disability.

4.03 Private Conduct

Social workers should not permit their private conduct to interfere with their ability to fulfill their professional responsibilities.

4.04 Dishonesty, Fraud, and Deception

Social workers should not participate in, condone, or be associated with dishonesty, fraud, or deception.

4.05 Impairment

(a) Social workers should not allow their own personal problems, psychosocial distress, legal problems, substance abuse, or mental health difficulties to interfere with their professional judgment and performance or to jeopardize the best interests of people for whom they have a professional responsibility.

(b) Social workers whose personal problems, psychosocial distress, legal problems, substance abuse, or mental health difficulties interfere with their professional judgment and performance should immediately seek consultation and take appropriate remedial action by seeking professional help, making adjustments in workload, terminating practice, or taking any other steps necessary to protect clients and others.

4.06 Misrepresentation

(a) Social workers should make clear distinctions between statements made and actions engaged in as a private individual and as a representative of the social work profession, a professional social work organization, or the social worker's employing agency.

(b) Social workers who speak on behalf of professional social work organizations should accurately represent the official and authorized positions of the organizations.

(c) Social workers should ensure that their representations to clients, agencies, and the public of professional qualifications, credentials, education, competence, affiliations, services provided, or results to be achieved are accurate. Social workers should claim only those relevant professional credentials they actually possess and take steps to correct any inaccuracies or misrepresentations of their credentials by others.

4.07 Solicitations

(a) Social workers should not engage in uninvited solicitation of potential clients who, because of their circumstances, are vulnerable to undue influence, manipulation, or coercion.

(b) Social workers should not engage in solicitation of testimonial endorsements (including solicitation of consent to use a client's prior statement as a testimonial endorsement) from current clients or from other people who, because of their particular circumstances, are vulnerable to undue influence.

4.08 Acknowledging Credit

(a) Social workers should take responsibility and credit, including authorship credit, only for work they have actually performed and to which they have contributed.

(b) Social workers should honestly acknowledge the work of and the contributions made by others.

5. SOCIAL WORKERS' ETHICAL RESPONSIBILITIES TO THE SOCIAL WORK PROFESSION

5.01 Integrity of the Profession

(a) Social workers should work toward the maintenance and promotion of high standards of practice.

(b) Social workers should uphold and advance the values, ethics, knowledge, and mission of the profession. Social workers should protect, enhance, and improve the integrity of the profession through appropriate study and research, active discussion, and responsible criticism of the profession.

(c) Social workers should contribute time and professional expertise to activities that promote respect for the value, integrity, and competence of the social work profession. These activities may include teaching, research, consultation, service, legislative testimony, presentations in the community, and participation in their professional organizations.

(d) Social workers should contribute to the knowledge base of social work and share with colleagues their knowledge related to practice, research, and ethics. Social workers should seek to contribute to the profession's literature and to share their knowledge at professional meetings and conferences.

(e) Social workers should act to prevent the unauthorized and unqualified practice of social work.

5.02 Evaluation and Research

(a) Social workers should monitor and evaluate policies, the implementation of programs, and practice interventions.

(b) Social workers should promote and facilitate evaluation and research to contribute to the development of knowledge.

(c) Social workers should critically examine and keep current with emerging knowledge relevant to social work and fully use evaluation and research evidence in their professional practice.

(d) Social workers engaged in evaluation or research should carefully consider possible consequences and should follow guidelines developed for the protection of evaluation and research participants. Appropriate institutional review boards should be consulted.

(e) Social workers engaged in evaluation or research should obtain voluntary and written informed consent from participants, when appropriate, without any implied or actual deprivation or penalty for refusal to participate; without undue inducement to participate; and with due regard for participants' wellbeing, privacy, and dignity. Informed consent should include information about the nature, extent, and duration of the participation requested and disclosure of the risks and benefits of participation in the research.

(f) When evaluation or research participants are incapable of giving informed consent, social workers should provide an appropriate explanation to the participants, obtain the participants' assent to the extent they are able, and obtain written consent from an appropriate proxy.

(g) Social workers should never design or conduct evaluation or research that does not use consent procedures, such as certain forms of naturalistic observation and archival research, unless rigorous and responsible review of

the research has found it to be justified because of its prospective scientific, educational, or applied value and unless equally effective alternative procedures that do not involve waiver of consent are not feasible.

(h) Social workers should inform participants of their right to withdraw from evaluation and research at any time without penalty.

(i) Social workers should take appropriate steps to ensure that participants in evaluation and research have access to appropriate supportive services.

(j) Social workers engaged in evaluation or research should protect participants from unwarranted physical or mental distress, harm, danger, or deprivation.

(k) Social workers engaged in the evaluation of services should discuss collected information only for professional purposes and only with people professionally concerned with this information.

(l) Social workers engaged in evaluation or research should ensure the anonymity or confidentiality of participants and of the data obtained from them. Social workers should inform participants of any limits of confidentiality, the measures that will be taken to ensure confidentiality, and when any records containing research data will be destroyed.

(m) Social workers who report evaluation and research results should protect participants' confidentiality by omitting identifying information unless proper consent has been obtained authorizing disclosure.

(n) Social workers should report evaluation and research findings accurately. They should not fabricate or falsify results and should take steps to correct any errors later found in published data using standard publication methods.

(o) Social workers engaged in evaluation or research should be alert to and avoid conflicts of interest and dual relationships with participants, should inform participants when a real or potential conflict of interest arises, and should take steps to resolve the issue in a manner that makes participants' interests primary.

(p) Social workers should educate themselves, their students, and their colleagues about responsible research practices.

6. SOCIAL WORKERS' ETHICAL RESPONSIBILITIES TO THE BROADER SOCIETY

6.01 Social Welfare

Social workers should promote the general welfare of society, from local to global levels, and the development of people, their communities, and their environments. Social workers should advocate for living conditions conducive to the fulfillment of basic human needs and should promote social, economic, political, and cultural values and institutions that are compatible with the realization of social justice.

6.02 Public Participation

Social workers should facilitate informed participation by the public in shaping social policies and institutions.

6.03 Public Emergencies

Social workers should provide appropriate professional services in public emergencies to the greatest extent possible.

6.04 Social and Political Action

(a) Social workers should engage in social and political action that seeks to ensure that all people have equal access to the resources, employment, services, and opportunities they require to meet their basic human needs and to develop fully. Social workers should be aware of the impact of the political arena on practice and should advocate for changes in policy and legislation to improve social conditions in order to meet basic human needs and promote social justice.

(b) Social workers should act to expand choice and opportunity for all people, with special regard for vulnerable, disadvantaged, oppressed, and exploited people and groups.

(c) Social workers should promote conditions that encourage respect for cultural and social diversity within the United States and globally. Social workers should promote policies and practices that demonstrate respect for difference, support the expansion of cultural knowledge and resources, advocate for programs and institutions that demonstrate cultural competence, and promote policies that safeguard the rights of and confirm equity and social justice for all people.

(d) Social workers should act to prevent and eliminate domination of, exploitation of, and discrimination against any person, group, or class on the basis of race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, or mental or physical disability.

The 2008 NASW Delegate Assembly approved the following revisions to the NASW Code of Ethics:

Cultural Competence and Social Diversity (1.05)

(c) Social workers should obtain education about and seek to understand the nature of social diversity and oppression with respect to race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, and mental or physical disability.

Respect (2.01)

(a) Social workers should treat colleagues with respect and should represent accurately and fairly the qualifications, views, and obligations of colleagues. (b) Social workers should avoid unwarranted negative criticism of colleagues in communications with clients or with other professionals. Unwarranted negative criticism may include demeaning comments that refer to colleagues' level of competence or to individuals' attributes such as race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, and mental or physical disability.

Discrimination (4.02)

Social workers should not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, or mental or physical disability.

Social and Political Action (6.04)

(d) Social workers should act to prevent and eliminate domination of, exploitation of, and discrimination against any person, group, or class on the basis of race,

ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, or mental or physical disability.

NOTE:

It is important that a mention is made regarding the code of ethics proposed by IFSW. It also provides a widely accept modern definition for Social Work. The attempts at indigenization of this aspect also cannot be sidelined. Drawing insights from NASW code of ethics, a group of Maharashtra based professionals in India, has come up with a set of declarations on the ethical aspects of Social Work practice in India.

UNIT 5   FUNDAMENTAL HUMAN VALUES

Contents

5.0   OBJECTIVES

As responsible citizens, you should know the fundamental human values that promote philanthropic activities in a society. In this unit you are introduced to some of the most fundamental human values, such as:

Value of Society

Value of Life

Value of Love and

Value of Freedom

These are introduced in such a way that, after going through this unit, you could be inspired to promote these values among those who are often deprived of these values, the poor and the marginalized of society.

5.1   INTRODUCTION

Values are broad preferences concerning appropriate courses of action or outcomes. They reflect a person's sense of right and wrong. They tell people what is good, beneficial, important, useful, beautiful, desirable, constructive, etc. A fundamental human value is a foundation upon which other values are based. Societies have values that are largely shared by their members. The values identify those objects, conditions or characteristics that members of the society consider important, valuable. The values are related to the norms of a culture, but they are more global and abstract than norms. Norms are rules for behavior in specific situations, while values identify what should be judged as good or evil. For example, flying the national flag on a national day of importance like the Republic Day and the Independence Day is a norm, but it reflects the value of patriotism.

5.2   VALUE OF SOCIETY

Society is constituted of groups related to one another in different social systems. The lifelong socialization process takes place almost entirely in group contexts which shape our social behaviour and personalities. Throughout life, most of our daily

activities are performed in the company of others. Whether our purpose is working, raising a family, learning, worshipping, or simply relaxing, we usually pursue it in groups, even if the group is as small as two or three people. Our need for meaningful human contacts is not merely a practical one; it is a deep psychological need as well. If people are deprived of groups, of the company of others for prolonged period, mental breakdown is the usual result. Even the Geneva Convention, an international agreement that regulates the treatment of prisoners of war, recognizes this need. It regards solitary confinement for more than thirty days as a cruel and barbarous form of torture. In its strictest sense, a group is collection of persons interacting together in an orderly way on the basis of shared expectations about each other's behaviour. The members of a group feel a common sense of belonging. A group differs from an *aggregate,* a collection of people, such as the passengers in a bus or a crowd in a street. The members of an aggregate do not interact together and have no common sense of belonging.

Some of the major groups that promote the fundamental values of society are family, education, economy, politics, and religion.

1) **Family**

Family is a relatively permanent group of people established through marriage, and whose adult members assume responsibility for the young. At the most basic level, the institution of the family is derived from a set of imperatives that are unique to human species. The fact that human sexual relations are not restricted to a brief breeding season encourages the formation of stable, long-lasting bonds between mates. In other species, the offsprings are generally able to fend for themselves quite soon after being born or hatched. The human infant, however, is helpless and in need of constant care and protection (both physical and psychological) for several years after birth.

The family exercises several important functions. Some of them are the following: *Regulation of Social Behaviour:* No society allows people to mate at random, and no society regards sexual behaviour purely as a matter of privet choice. The marriage and family system provides a means of regulating sexual behaviour by specifying who may mate with whom and under what circumstances they may do so. *Replacement of Members:* A society cannot survive unless it has a system for replacing its members from generation to generation. The family provides a stable, institutionalized means through which this replacement can take place, with specific individuals occupying the social roles of mother and father and assuming defined responsibilities. *Socialization:* Newborn infants do not become fully human until they are socialized, and the primary context for this socialization is the family. Because the child is theirs, the parents normally take particular care to monitor its behaviour and to transmit to it the language, values, norms, and beliefs of the culture. *Care and Protection:* The family is able to offer the care, protection, security, and love that are vital to its members. Infants need warmth, food, shelter, and affection. The family provides an intimate atmosphere and an economic unit in which these needs can be provided. *Social Status:* Legitimate birth into a family gives the individual a stable place in society. We inherit from our family not only material goods but also our social status. We belong to the racial or ethnic group and usually to the same religion and social class as that of our parents. Our family background is the most significant single determinant of fundamental human values in society.

2) Education

The word 'school' comes from an ancient Greek word meaning "leisure." The link between the two words may not seem obvious today, but in pre-industrial societies schooling was reserved for the children of a privileged elite. No society could afford more than a handful of educated people. Schooling did little to increase a person's productivity and was thus considered to be wasteful. Education was undertaken only by those with the time and money to pursue the cultivation of the mind for its own sake. With the rise of industrialism, however, mass schooling became a necessity, knowledge expanded rapidly, the pace of social change increased, and many new economic roles were created. In its broadest sense, 'education' is almost synonymous with 'socialization,' since both processes involve the transmission of culture from one person or group to another. The distinguishing feature of education today is that it has become an institutionalized, formal activity. Modern societies deliberately organize the educational experience, make it compulsory for people in certain age groups, train teachers, and provide locations and equipment for the teaching and learning process. Education can thus be described as the systematic, formalized transmission of knowledge, skills, and values.

Functionalist Perspective: The functionalist perspective provides a useful way of explaining the central importance of the schools in maintaining the social order as a whole. Several important functions of education can be identified. *Cultural Transmission:* If society is to survive, its culture must be transmitted from one generation to the next. In a complex modern society, the schools are used to provide the young with the knowledge, skills, and values that the society considers especially important. This function is a conservative one, for the schools are transmitting the culture of the past, or best the present. *Social Integration*: Modern industrial societies frequently contain many different ethnic, racial, religious, or other subcultures. Education serves to integrate the young members of these subcultures into a common culture, encouraging the development of a relatively homogeneous society with shared values. *Personal Development*: In both the formal curriculum and in informal interaction with peers and teachers, students learn a great deal about themselves and about the world that surrounds them. Much of this learning is more valuable for personal, emotional, social, and intellectual development. *Screening and Selection:* By screening the academic performance of students, the schools effectively select particular types of students for particular types of occupations. From the elementary years onward, the schools constantly test students and evaluate their achievements, channeling some toward technical vocation and others towards academic subjects. The credentials that people possess at the end of their education have a strong influence on their life chances. *Innovation:* Educational institutions do not merely transmit existing knowledge; they stimulate intellectual curiosity and critical thought, and partly because college and university teachers usually conduct research that will increase self-knowledge. *Latent Functions:* But education also has functions of a latent type, functions that are not generally recognized and were never intended. For example, schools serve as 'baby sitting' agencies. They free mothers from their child-rearing tasks and permit them to work outside the home. The educational institutions also serve as 'marriage venues' by giving young people of fairly similar background a chance to interact with one another in a way that would not be possible if their social orbits were restricted to the home and work. In addition to their formal curricula, the schools also teach habits of punctuality, docility and obedience to authority.

3) Economy

Humans need food and shelter in order to survive: these are basic biological necessities. Humans need also other goods and services as well. Whether these needs are biologically determined necessities or socially defined desirables, they can usually be satisfied only by human effort. A few of the material goods and personal services that people want are freely available, like the air they breathe or such care as they receive from adults when they are children. But most goods and services are scarce. People must work to produce them and must find some way of distributing them among the various members of the society. This activity is the substance of economic life. The economic order is the institutionalized system for producing and distributing goods and services.

4) Politics

The political order is the institutionalized system through which some individuals and groups acquire and exercise power over others. Politics is about power – about who gets it, how it is obtained, how it is used, and to what purpose it is put. Max Weber defined power as the ability to control the behaviour of others, even in the absence of their consent. Put another way, power is the capacity to participate effectively in a decision-making process. Those who for one reason or another cannot affect the process are therefore powerless. Power may be exercised blatantly or subtly, legally or illegally, justly or unjustly. It may derive from many sources, such as wealth, status, prestige, numbers, or organizational efficiency. Its ultimate basis, however, is the ability to compel obedience, if necessary through threat or use of force.

5) Religion

Religion is a system of commonly held beliefs and practices that are oriented toward some sacred, supernatural realm. Religions can be divided into four main types: religions of simple supernaturalism, animism, theism, and abstract ideals. *Simple Supernaturalism*: This type of religion, which is fairly common in very simple pre-industrialized societies, recognizes the existence of supernatural forces in the world. This kind of religion does not include a belief in gods or spirits, but the believers assume that there are supernatural forces that influence human events for better or worse. *Animism:* Animism recognizes active, animate spirits operating in the world. These spirits may be found both in people and in otherwise inanimate natural phenomena such as rivers, winds, mountains, and weather. The spirits are assumed, like human beings, to have motives, will, and emotions. *Theism:* Theism centres on beliefs in gods. A god is presumed to be interested at least to some extent in human affairs, and to be worthy of worship. *Abstract Ideals:* This type of religion centres on the way of thinking and behaving. The goal is to reach an elevated state of being and consciousness, and in this way to fulfill one's human potential to the utmost. The best-known religion of abstract ideals is Buddhism, which is not concerned with the worship but with the attempt to promote the values of life through many years of meditation.

5.3   VALUE OF LIFE

Ever since Plato, Western thinkers have dreamed of better life, that could perhaps never be fully realized, but which at least gave us something to aspire to – noble, beautiful visions of life. Aristotle, Augustine, Aquinas, More, Descartes, Spinoza,

Leibniz, Berkley, Hegel, Bergson *et al* painted pictures of a life in which there is a strong sense of liberty, fraternity and equality rooted in an ontological spirituality, in which human life is fulfilling through a conviction of immortality. Now, at the dawn of the 21st century, this long tradition of imagination, vision and conviction seems vanishing under the pressure of consumerism and materialism. By reducing life to the question of materialism, the present thinking has consigned the more difficult questions about life to oblivion: the immortal and eternal source of life. If we are to provide a more inspiring ideal, then it is time we devoted more thought to the question on how to understand life more scientifically and philosophically, and thus, comprehensively.

Story of Life

Scientists agree that life did not always exist on earth. They estimate that it began about four billion years ago. About four billion years ago, *Aries*, the first prokaryotic cells appeared on earth. On account of the balance of earth's own internal dynamics and its position in the structure of the solar system, matter existed as solid, liquid, and gas and flowed from one form into another to provide an incessantly creative chemical womb from which arose *Aries*, the first prokaryotic living cell. The primal prokaryotic cells had the power to organize themselves, as did the stars and galaxies. The cells could also remember significant information, even the patterns necessary to knit together another living cell. The cells also possessed a new order of creativity to catch the pockets of energy hurled by the Sun at the speed of light and to use these quanta as food. Aries and the prokaryotes gathered hydrogen from the ocean and released oxygen into Earth's system, which saturated the land and the seas. However, the prokaryotes unknowingly pushed Earth's system into an extremely unstable condition by altering earth's chemistry with this element of explosive power. Consequently, the prokaryote communities perished as their interiors were set ablaze by the oxygen. But out of this crisis arose *Vikengla*, a new and radically advanced being. Vikengla was the first eukaryotic cell, which was capable of shaping oxygen's dangerous energy for its own purposes. The eukaryotes invented meiotic sex by which the universe's diversity expanded a hundredfold, through sexual union. Finally, the eukaryotes took that daring step of submerging themselves into a larger mind as trillion of them gathered together and evoked *Argos*, the first multicellular animal. About 600 million years ago, there arose multicellular organism. They included the coral, worm, insects, clams, starfish, sponges, spiders, vertebrates, leeches and other forms of life. The animals followed the plants onto land heaved with amphibians, reptiles, insects and dinosaurs. About 67 million years ago there was an astronomical collision that changed earth's atmosphere and climate, which nearly destroyed all forms of animal life on earth, including the dinosaurs. But such destructions opened up new possibilities seized upon by the birds and the mammals. The mammals entered earth's life about 200 million years ago. They developed emotional sensitivity, a new capacity within their nervous systems for feeling the universe. This mammalian emotional sensitivity was deepened with the human nerval capability, the self-consciousness. Four million years ago in Africa, human (a young female hominid, now designated as "Lucy," lived in southern Ethiopia) stood up on just two limbs, and later, about two million years ago, they began to use tools. Beginning around thirty-five thousand years ago, they began a new form of celebration that displayed itself in cave paintings deep within Earth. About 12 thousand years ago, the first Neolithic villages were formed in Jericho, Catal Hüyük and Hassuna. It was the most radical social transformation ever to occur in the human venture. In this period, the decisive developments in language, religion, cosmology, arts, music and dance took their primordial form. The urban civilization began to shape itself about five

thousand years ago giving rise to new power centres: Babylon, Paris, Persopolis, Banaras, Rome, Jerusalem, Constantinople, Sion, Athens, Baghdad, Tikal of the Maya, Cairo, Mecca, Delhi, Tenochtitlan of the Aztec, London, Cuzco, the Inca City of the Sun.

Basic Unit of Life

This origin and development of life is essentially a problem lying in the domain of organic chemistry, the chemistry of carbon compounds which are responsible for the structure, organization and function of the cells. A living cell is like a fairly complex, well-organized chemical factory which takes in one set of organic molecules as food and breaks them down into smaller units and then recombines them. The cell strings special sets of small molecules together into long chains usually unbranched to make the vital macromolecules of the cell: the nucleic acids, the RNA, DNA, proteins and polysaccharides. The first level of organization is the lowest at which atoms are bound together to form molecules. Single carbon atom is a fairly symmetric object. However, more intricate structures and combination of atoms such as molecules and macromolecules have a 'handedness': right handed or left handed. They rotate the plane of polarization clockwise or anticlockwise. It shows that biochemical molecules do not exist in isolation. They interact with other molecules. Nevertheless, all the infinite number of organisms use only the left handed molecules, never the right handed although nature produces them or human can synthesize them in the laboratory. It is a mystery that all the molecules involved in each of the cells of every organism have the same hand. It is a clear indication that all life emerged from the first primordial living cell.

There are many other biochemical features, which are astonishingly alike in all the cells of the organisms. The actual pathways, the precise ways in which one small molecule is converted into another, and structural features are similar. Much of the structure and the metabolic activities of the cell are based on that family of molecules called proteins. A protein, precisely made with every atom in its correct place, is a macromolecule containing thousands of atoms. Each type of protein forms an intricate three-dimensional structure, which allows it to carry out catalytic or structural function. The three-dimensional structure is formed by folding up an underlined one-dimensional chain based on one or more polypeptide chains. A sequence of atoms along the backbone consists of pattern of six atoms, and a typical backbone has hundreds of them. Not surprisingly, the synthetic machinery of the cell constructs these polypeptide chains by joining together a particular set of small molecules called amino acids. The amino acids determine the exact nature of proteins. A protein is like a paragraph written in twenty alphabets, namely, the twenty amino acids which are exactly same or universally present throughout nature. Yet, there are also other kinds of amino acids in a cell. Nevertheless, only twenty is used for proteins in all the living organisms. Besides proteins, there is also a second very different language which carries the genetic information of an organism: the nucleic acids such as DNA and RNA. DNA is concerned with protein manufacture, and plays an essential part in cell division. It is a long, thread-like molecule similar in shape to a rope ladder twisted into a spiral. The upright sides of the ladder are made of alternate sugar and phosphate molecules joined into a chain. The rungs of the ladder are made of chemical bases, of which there are four types: *adenine, guanine, cytosine, and thymine*. They are often referred to by their initial letters: A, G, C, and T.

The genetic code is formed by the sequence in which these four chemical bases are arranged along the length of a DNA molecule. Most of a cell's DNA is contained in

the chromosomes in its nucleus, but proteins are made in the cytoplasm of a cell. Somehow the coded instructions for protein manufacture must pass from the nucleus to the cytoplasm and then be transcribed. This task is carried out by two types of substance such as ribonucleic acid (RNA) which work in conjunction with microscopic granules in the cytoplasm, *ribosomes*. The two types are called messenger RNA and transfer RNA. In the nucleus, part of DNA molecule opens up exposing the gene for a particular protein. Messenger RNA copies the sequence of bases which make up the gene. Transfer RNA picks up amino acid molecules and carries them to the ribosome where the amino acids are linked together forming a protein molecule. The sequence of amino acids in the protein molecule depends upon the way transfer RNA molecules fit into messenger RNA, and this depends upon the sequence of bases in the gene. In this way, the genetic code relates the four-alphabet language of the genetic material, the DNA, to the twenty-alphabet language (twenty amino acids) of the proteins. To translate the genetic message on a particular stretch of nucleic acid (a gene), the sequence of the side chain (nucleotides) is read off by the biochemical machinery in groups of three (called the codons) from some fixed point. Since the nucleic acids have just four nucleotide bases, there are sixty-four possible triplets. Sixty-one of these codons stand for one or the other amino acid. The remaining three triplets stand for the 'end chain' and 'the start chain'.

All living beings use the same genetic code. All living beings use the same four-letter language (of the DNA and RNA) to carry genetic information and pass it on to the progeny. It has now been revealed that in terms of the number of genes in our cells, we humans are only a little better than the lowly roundworm which has just over 19,000 genes and the fruit fly some 13,600. Results published by two teams of scientists, in February, 2001 put the number of genes in the human genome at around 30,000, that is, less than a third of what was estimated earlier (c. 100,000). However, humans being very thrifty with their genes are able to do more with their genes than other species. For instance, instead of producing only one protein per gene, as believed earlier, the average human gene has been found to produce three different proteins. Moreover, each gene directly interacts with four or five on average and thus functions in a collective manner. It is also surprising to know that in the 75 % of repetitive DNA sequences, which are known as junk DNA and were considered to be useless, there are sequences that are still active and may be coding for proteins. The genome sequence also shows that every person on Earth shares 99.99 % of the same genetic code with all other people, a fact that should help settle the question of racial, ethnic, or even caste superiority.

Moreover, all humans are oriented towards immortality or life after death. The immortality of the human, from a rational viewpoint, can be established from the immateriality or spirituality (as distinct from materiality) of certain fundamental operations in human. The fundamental operations are knowing, willing and remembering, which are immaterial or spiritual in themselves. As they are spiritual in themselves, they are intrinsically (internally) independent of matter and extrinsically (externally) dependent on matter or material conditions. It means human cannot know, or will, or remember without body or material conditions. Yet, the material conditions cannot cause or internally determine any of these operations. If the operations—knowing, willing, remembering—are spiritual, the corresponding faculties—intellect, will, memory—from which these operations proceed should also be spiritual. Although these faculties have their own distinct functions, they are not separate or apart from each other as they are coordinated by a coordinating principle, which must also be spiritual as the spiritual cannot originate from what is material,

but only from the spiritual. The spiritual is simple (i.e., without quantitative parts or sections). The simple, having no parts, is not composed. What is not composed cannot be decomposed. What cannot be decomposed cannot die, since death is basically decomposition. What is not subject to death, therefore, is immortal. Hence, human possesses at least a principle, which is spiritual and immortal. In this way, when we look at humans we find that humans, once born, cannot disappear like others beings. Humans, in some way, continue to live forever. Human life is invaluable and immortal. It demands of everyone to respect and take care of it as precious and valuable. Nobody can and should try to destroy such a life. For the value of human life is greater than all other values.

Some of the several reports of the Near Death Experiences seem to be confirming the continuity and immortality of human life. For instance, *The Reader's Digest* (October 2003) reports of a scientific case for after life of human. The following is a gist of the same: In the summer of 1991, Pam Reynolds, a 35-year-old mother of three children, learnt that she had a malignant bulge in her brain. Neurosurgeon Robert Spetzler told her that in order to operate he would have to stop her heart and she would be dead for up to an hour. As Spetzler powered the surgical instrument to open the patient's skull, she felt herself 'pop' out of her body, and then saw vividly the whole operation from a vantage point just above Spetzler's shoulders. 'But even though her eyes and ears were effectively sealed shut, what she perceived was actually happening.' As life left Reynold's body, she found herself travelling down a tunnel towards a light. At its end, she saw some of her departed relatives and friends. An uncle, one of the departed, led her back to her body. Then, Reynolds told Spetzler all that she'd seen and experienced.

To conclude: The remarkable unity of life, resulting from the fundamental equality and universality, does not end at the level of protein synthesis, but runs down into the structural, organizational and reproductive mechanisms of all living beings. This marvellous unity is further heightened by the astounding accuracy in the process of duplication of the cell, the transcription of the genetic code, and the immortality of the human life on which depends the highest and deepest value of life, which has to be respected by everyone. Value of life is best respected when we love everyone. Love is the best way to promote the value of life.

Check Your Progress I

Note: Use the space provided for your answer.

1. Discuss the role of family in promoting the fundamental values of society.

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2. What in your opinion is the value of life?

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5.4   VALUE OF LOVE

Any lover who tries to love the beloved must face towards the beloved and concentrate full attention on the latter. This full attention draws upon all three levels of the lover's being: biological, psychological, and moral. This full attention of the lover to the beloved calls for total devotion or dedication of the lover to the beloved. Hence, this total dedication is total self-giving or self donation of the lover to the beloved. It is the self-giving of the being of the lover to the beloved. The best gift is self-gift, giving of one's being to another. In classical Greek, especially in Plato's *Symposium*, there are two terms for love. These are *eros* and *philia*. *Eros* is based on strong feelings toward another. It usually occurs in the first stages of a man-woman relationship. It is based more on physical traits. For example, when a man says he has 'fallen in love' for a woman because 'she looked like an angel.' Or, when a woman 'falls in love' for a man because he is intelligent, has good breeding, etc. It is based more on self-benefit, of what can benefit for oneself rather than the other person. When the person doesn't feel happy anymore in loving that person, she/he is led to believe that she/he has fallen out of love. *Philia* is love based on friendship between two persons. Undoubtedly, friendship is the foundation of a successful relationship. This is true whether it is marriage, relationship between family members, relationship with co-workers, employer, etc. This is in contrast to a man-woman romantic relationship which starts out by *eros*. With *eros*, one sees only each other's strengths/good side, everything is rosy.

Philia is based on "give-and-take," where two people benefit each other in a mutual relationship. One partner is still concerned with what she/he can take, but at the same time is also concerned with her/his partner's benefit and therefore gives back in return. It is a higher type of love than *eros*. *Philia* is a mutual, "give-and take" relationship, while *eros* is a self-based form of love that is more concerned with self-benefit. There is also a third Greek term '*agape*', "which occurs rather infrequently in Greek usage" [of course, the verb *agapao*= 'to love' was common in classical Greek, occurred in the Bible borrowed from the popular Egyptian dialect]. It is love above *philia* and *eros*. It is a love that is totally selfless, where a person gives out love to another person even if this act does not benefit her/him in any way. Whether the love given is returned or not, the person continues to love even without any self-benefit. Say, for instance, one helps another person even though that person hates her/him. Or one takes insults from one's partner without hitting back, all the while forgiving and helping the partner to amend her/his ways. The manifestations of *agapeic* love are kindness, compassion, gentleness, patience, humility, forgiveness and reconciliation. That is the core message of the Vedas and the Upanishads, of all religions which uphold and teach the value of freedom too.

5.5   VALUE OF FREEDOM

Freedom is a fundamental value that humans are prepared to give anything to acquire, to protect and to preserve it. It is one of the characteristics by which humans are distinguished from animals. 'To be human' necessarily implies 'to be free.' Freedom may be defined as distance and transcendence from binding necessities through self-possession. All creatures, including the humans, are thrown to some necessity or givenness. In the case of the non-humans, there is hardly any chance of 'standing out' from their givenness. They are bound to it. The birds are necessitated to make their nests in the very same way they have been doing from the beginning of creation.

They cannot improve upon it. But the humans are not bound to their givenness or necessity. They can transcend it, and thus they are able to grow and create themselves by merit of their freedom.

Freedom can be understood negatively or positively. Negatively, freedom means 'being free from,' i. e., the relation of not being bound, of being independent from something. This negative concept is also a relative one since every being is related to other beings in the world. It may be free from direct relationships to this or that, but not from all things. Beings, for instance, which are free from insertion into civilization and history, are all the more fully involved in nature and the universe. A being fully free in the negative sense could not be a being in the world. A fully isolated being, without any relationship, would be based on nothing and be nothing. Negation is always based on something positive. If negative freedom were conceived as an absolute, such a fully indeterminate being would be without a world and reduced to nothingness. In contrast to the negative, relative concept, there is a positive, absolute concept of freedom. A being is positively free insofar as it is in possession of itself with the sufficient condition for all its being and relations. Hence, freedom means also self-possession, of being completely present to oneself. Self-possession is the essence of 'person' too. A person is in possession of oneself and is not possessed by another. When we look at freedom in this way, human freedom is neither merely negative and relative nor fully positive and absolute. Of course, human has some dominion over oneself and so also over parts of the world. But one is at the same time inserted into the world and dependent on the beings among which one finds oneself. Thus human freedom is constituted by isolation and power, and being 'free from' and being 'free to.' This basic mode of human freedom may be called 'universal freedom' which is the fundamental value of human by which human alone can say 'I am.' Human can contrast all things with oneself as 'beings' and so understand them in their proper perspective. In this way, human has the capacity of distancing all things from oneself and oneself from all things. In distancing all things from oneself, human also transcends all things through self-possession (self-consciousness), transcends the necessities to which one is otherwise bound.

Check Your Progress II

Note: Use the space provided for your answer.

1. Discuss 'love' as a fundamental human value.

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2. Why is freedom important to human beings?

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5.6   LET US SUM UP

Values are broad preferences for appropriate course of actions. They reflect a person's sense of right and wrong in a society constituted of groups related to one another in different social systems. Some of the major groups that promote the value of society are family, education, economy, politics, and religion, which form the basis of human life. Many thinkers have dreamed of better life, that could perhaps never be fully realized, but which at least gave us something to aspire to. Most scientists agree that life began about four billion years ago with *Aries* the first prokaryotic cell. This origin and development of life is essentially a problem lying in the domain of organic chemistry, the chemistry of carbon compounds which are responsible for the structure, organization and function of the cells. The remarkable unity of life does not end at the level of protein synthesis, but runs down into the structural, organizational and reproductive mechanisms of all living beings. This marvellous unity is further heightened by the astounding accuracy in the process of duplication of the cell, the transcription of the genetic code, and the immortality of the human life on which depends the highest and deepest value of life, which has to be respected by everyone. Love is the best way to promote the value of life. Love is the self-giving of the being of the lover to the beloved. The best gift is self-gift, giving of one's being to another without any condition, *agapeic* love. The manifestations of *agapeic* love are kindness, compassion, gentleness, patience, humility, forgiveness and reconciliation exercised in freedom, which is distance and transcendence, from binding necessities, through self-possession (self-consciousness).

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UNIT 6   FUNDAMENTAL HUMAN RIGHTS AND DUTIES

Contents

6.0   OBJECTIVES

It is important to understand the concept and meaning of human rights that should be protected and promoted through philanthropic activities. Similarly every right entails corresponding duties. As philanthropic social worker, it is essential to know the various duties that one should promote in order to protect and promote human rights.

By the end of this unit, you should be able to:

understand the concept of rights;

explain the meaning of human rights and duties;

explore the fundamental human rights and duties in social work profession; and

enlist the salient features of the Universal Declaration of Human Rights

6.1   INTRODUCTION

Rights are primarily a legal concept, an advantage granted under a certain legal system. As a moral term, they refer to what is fair and just. Some authors distinguish between primary and secondary rights: *Primary rights* include *'good faith'* rights, such as the enforcement of a contract, marital loyalty, safeguarding from injury, and protection of property. *Secondary rights* are associated with a *legal instrument* used in cases where the primary rights are not observed, such as the right to compensation for damages, dissolution of marriage, and restitution of stolen property. Human Rights were originally primary rights, but gradually with the recognition of legal protection included in international treaties, human rights progressively came to resemble secondary rights. Thus, the concept of *human rights* has two basic meanings. The *first* refers to the inherent and inalienable rights of a man/woman simply by virtue of his/her being human. These are moral rights, and they aim at ensuring a person's dignity as a human being. The *second* sense is that of legal rights which are established through the law-creating processes of societies, both national

and international. In a layman's language, human rights are those minimal rights, which every individual must have by virtue of his being a "member of human family" irrespective of any other consideration (Tiwari, 2003; Meijer, 2001; Sen, 1998).

Originally, the term *Human Rights* means an abstract respect for human beings. It is an ideology, a concept, and a belief system, which is considered to be the most revolutionary of our times. In simple language, human rights are certain basic rights inherited by virtue of being human. The term as we know it today was concretized after the Second World War which caused unprecedented misery, death and destruction and large scale violation of human rights. The United Nations (UN) formed in 1945, together with its other specialized agencies viz. UNESCO, ILO, UNICEF, UNDP, have contributed substantially towards the promotion of Human Rights. Apart from the UN, various local, national and international *voluntary organizations*, viz. *Amnesty International, Asia Watch, Commonwealth Human Rights Initiative (CHRI), People's Union for Civil Liberties (PUCL), South Asian Human Rights Documentation Center (SAHRDC), People's Union for Democratic Rights (PUDR), Center for Democracy (CFD), International Committees for Red Cross, International League for Human Rights, the International Commission of Jurists* etc. are working for the promotion & protection of human rights in every continent and in almost every country in the world (Tiwari 2003, Tilak, 1998).

The **Constitution of India** acknowledges rights of human beings as persons, citizens, members of sexes, religions, regions and cultural communities, and seeks to protect rights of oppressed castes, tribes and classes. Through the ***Preamble, Fundamental Rights and the Directive Principles of State Policy***, the Indian Constitution not only ensures fundamental rights to every citizen but also requires the State to ensure promotion and protection of Human Rights to bring about a just and equitable social order.

Despite these various legal remedies, constitutional provisions and institutional mechanisms, there are massive violations of human rights in India – both Civil and Political Rights and Economic, Social and Cultural Rights.

6.2 CONCEPT OF RIGHTS

Any discourse of *Human Rights* must begin with the concept of *Rights* and address the basic question, why *Human Rights*? What exactly does it mean to have a *Right*? At its most fundamental, a *right* is ***a claim***, on other persons, that is acknowledged and reciprocated among the principals associated with that claim. It is a justified claim on someone, or on some institution, for something, which one is owed. In English, *"right"* has two principal ***moral and political senses***. *"Right"* may refer to what is right, the right thing to do. Thus we say that it is right to help the needy or wrong (the opposite of right) to lie, cheat or steal. *"Right"* may also refer to a special entitlement that one has to something. In this sense, we speak of having, claiming, exercising, enforcing, and violating rights (Thakur, 2000).

The ***Oxford English Dictionary*** *suggests* a threefold definition of a right:

1. That which is morally or socially correct or just; fair treatment,

2. A justification or fair claim,

3. A thing one may legally or morally claim, the state of being entitled to a privilege or immunity or authority to act.

The word "*rights*" is a chameleon like term, which can describe a variety of relationships.

Morton E. Winston (1999) (as cited in Cheria, Anita & Edwin, Sriprapha Petcharamesree, 2004) defines rights as 'An agent (A) has a right to a particular good (G) if and only if the possession of the right (R) by agent (A) provides the basis for a justified moral/legal claim that other members of society have duties (D) to protect agent A's enjoyment of goods'. Winston further explains that the particular goods referred to can range over many different sorts of things e.g. interests, liberties and powers, or access to the necessary means of satisfying one's interests or exercising one's liberties or powers. The claims derived from rights can be either moral or legal or both. These claims call forth duties from other members of society directed towards the rights-holder. The corresponding duties of society can be ascribed to various different agents, e.g. governments, individuals, or in some cases, non-governmental organizations such as private agencies or corporations. It may include duties to provide access to goods to the rights holders. However, Rights involve *a special set of social institutions, rules, or practices*. Rights place right-holders and duty-bearers in a relationship that is largely under the control of the right-holder. Right-holder ordinarily exercise his right more or less as he sees fit. Also, claims of rights ordinarily take priority over other kinds of demands, such as utility or righteousness (Cheria, Anita & Edwin, Sriprapha Petcharamesree, 2004; Thakur, 2000).

The most basic of rights is a *principle of interaction between the people*. It is a claim to freedom of action (including that of securing privacy). This is the basis for the 'basic golden rule', which is "do nothing unto others as you wouldn't want them to do unto you". In other words, it is the principle, which involves that if a person insists of being left alone, he/she has an implied obligation to leave others alone in turn. Other than that, an entity (person or group) can make any sort of *claim* on other persons, but those claims remain *simple assertions* until the other persons acknowledge that claim as binding upon them. At that point, the claim becomes a *privilege* (a one-sided acknowledged claim). If all parties (including the original claimant) also agree to reciprocate acknowledgement of such a claim, it becomes applicable to all, that is, applicable to everyone in the same sense and at the same time, and thus a *right* (Thakur, 2000).

As Justice Oliver Wendell Holmes said, "The right to swing my fist ends where the other man's nose begins'. Rights must apply to everyone in the same sense at the same time. So rights must therefore be limited to claims of freedom to do anything, which does not violate the freedoms of others. This requires recognizing, respecting and abiding by anyone else's wishes to be left alone whenever he wants, and his wishes to be free to do anything which doesn't violate others. This is why no one can claim a 'right' to interfere with your life in any way without your explicit, personally given consent for a specified purpose. There can be no such thing as a 'right' for anyone (or any group) to mess with you whenever he wants (or whenever they want) since it obviously isn't applying to YOU in the same sense at the same time (Thakur, 2000).

Some rights may be categorized into *negative rights* – rights that require only that everyone refrain from certain actions, and not that anyone actively perform any action, e.g. right not to be assaulted. In order to enjoy such a right, it is necessary that other people don't assault. This also applies to the Government of India. e.g. Article 14 of the Indian Constitution provides that the State shall not deny any person

equality before the law or the equal protection of the law within the territory of India (Thakur, 2000).

A *statist /authoritarian approach* of rights rest on the assumption that rights exist only if they are dispensed by an authoritative body. According to this approach, rights are infringed when a person who assaults, steals, cheats etc, is offending against the grantor of Rights-the king or the State-by breaking its rules/laws. The repudiator is entirely controlled by the authority as the offence against the authority, and not technically, against the victim (Thakur, 2000).

In *jurisprudence and law*, a right is the legal or moral entitlement to do or refrain from doing something. Rights are significant only where corresponding *duties and responsibilities* exist to enforce them – because people must be motivated to undertake these duties and their associated risks (e.g. resisting arrest, fighting back). These rights can normally only be truly enforced by a government that can collect taxes and pay police and court personnel. *Generally speaking*, a right corresponds with a complementary obligation that others have on the same object or realm; for instance if someone has right on a thing, simultaneously another party or parties have an obligation to do something in order to respect that right or to give concrete execution to that right, e.g. property rights (Thakur, 2000).

Therefore, a right can be a faculty of doing something, of omitting or refusing to do something or of claiming something. Some interpretations express typical form of right in the faculty of *using something* and this is more often related to the right to property. Other interpretations consider the right as a *sort of freedom* of something or as the object of justice.

Rights can be divided into *individual rights*, that are held by citizens and individuals (or corporations) recognized by the legal system, and into *collective rights*, held by an ensemble of citizens or a subgroup of citizens whose actions are regulated by the same system. There is a tension between individual and collective rights (http://en.wikipedia.org).

Rights provide the basis for 'justified' claims of the actual enjoyment of certain liberties, goods, powers or immunities by persons or peoples to be protected by society against standard threats. Thus, the concept of rights covers the broad gamut of making a justified claim, to delivering certain duties and responsibilities.

For human rights purposes, it can be said that a right is a human right, if and only if being a human being is sufficient reason or condition for possessing that right.

Rights apply to living beings who rely on their conscious choice-making abilities to live, as they are an integral part of their codes of ethics – meaning guides to decision making- in cases where other decision makers are involved. On earth, this applies only to human beings and their interactions with each other. The human person possesses rights because of the very fact that it is a person, a whole, master of itself and of its acts, and which consequently is not merely a means to an end, but an end, an end which must be treated as such. The expression 'the dignity of the human person' means nothing if it does not signify that by virtue of natural law, the human person has the right to be respected is the subject of rights and possesses rights. There are things, which are owed to man because of the very fact that he is man.

These words reflect a fundamental principle, which emphasizes the worth of the individual human being and recognizes their rights simply because of their being human. Understanding the nature of the "right" involved can help to clarify our consideration of the degree of protection available, the nature of derogation or

exceptions, the priorities to be afforded to various rights, the question of the hierarchical relationships in a series of rights, and similar problems (Cheria, Anita & Edwin, Sriprapha Petcharamesree, 2004; Symonides, 2002).

Check Your Progress I

Note: Use the space provided for your answer.

1)   What is your understanding of rights?

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2)   What is the difference between individual rights and collective rights?

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6.3   CONCEPT OF HUMAN RIGHTS

The term Human Rights indicates both their nature and their source: they are 'rights' that one has simply because one is 'human'. They are held by all human beings; irrespective of any rights or duties one may (or may not) have as citizens, members of families, workers, or parts of any public or private organization or association (Thakur, 2000).

Human Rights are a special type of right. In their most fundamental sense, they are paramount moral rights. The concept of Human Rights is founded on the ancient doctrine of natural rights based on natural law. Ever since the beginnings of civilized life in a political society, the shortcomings and tyranny of ruling powers have led people to seek higher laws. The concept of a higher law binding human authorities was evolved, and it came to be asserted that there were certain rights anterior to society. These were superior to rights created by human authorities, were universally applicable to people of all ages in all regions, and are believed to have existed prior to the development of political societies. These rights were mere ideologies and there was no agreed catalogue of them and no machinery until they were codified into national constitutions (Thakur, 2000; Nirmal, ed. 1999).

Human Rights are those inherent, inalienable and universal rights, which every human being is entitled to enjoy by virtue of his being a member of the human family. Human Rights are

1.   *Inherent* because they are the birthright of all human beings. People enjoy these rights simply by reason of their humanity and, as such, they do not have to be granted or bestowed by a sovereign for them to be enjoyed.

2.   *Inalienable* in the sense that people cannot agree to give them up or have them taken away from them.

3. *Universal* for human rights do not just apply to some groups of people but to all persons, regardless of their nationality, status, sex, race, etc (Cheria, Anita & Edwin, Sriprapha Petcharamesree, 2004).

These concepts are recognized and confirmed in the various International Documents on Human Rights, the major one being the Universal Declaration on Human Rights.

In a **modern sense**, Human Rights can be defined as the ultimate legitimate basis for a human community. Human community refers to an ideal association of human persons that is conceived for the individual and collective benefit of its members.

One "needs" Human Rights when they are not effectively guaranteed by national law and practice. If one can secure food, equal treatment, or free association through national, legal processes, one is unlikely to advance human rights claims. Therefore the question of rights arises with the question of violation of those rights (Thakur, 2000).

The original content of the philosophy of human rights was limited to civil and political rights of the individual. These were often referred to as "*first generation*" rights. Civil and political rights include the rights to life, liberty, security of the person, privacy and property; the right to marry and raise a family; the right to a fair trial; freedom from slavery, torture and arbitrary arrest; freedom of movement and to seek asylum; the right to a nationality; freedom of thought, conscience and religion; freedom of opinion and expression; freedom of assembly and association; the right to free elections, universal suffrage and participation in public affairs.

The "*second generation*" rights included economic, social and cultural rights as it was realized that without guaranteeing economic, social and cultural rights, full enjoyment of civil and political rights was not possible. Economic and social rights include the right to work and for a just reward; the right to form and join trade unions; the right to rest and leisure, and to periodic holidays and pay; the right to a standard of living adequate to health and well being; the right to social security; the right to education and the right to participate in the cultural life of a community.

As the meaning of the concept expanded, the "*third generation*" rights emerged which included: right to self determination, right to sovereignty over natural wealth and resources of the country and, right to development as well as rights of disadvantaged groups to special protection. These are the collective rights.
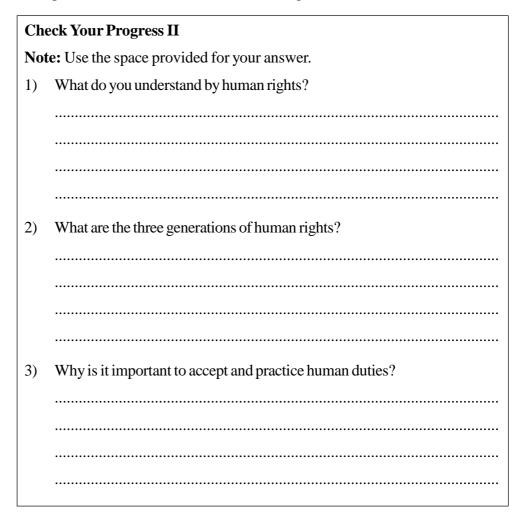
6.4   CONCEPT OF HUMAN DUTIES

When we discuss about human rights, we should also discuss about human duties and responsibilities. In some countries while the freedom, democracy and the rule of law have gained ground, there are other countries where the situation is worse. The most basic of all human rights is the right to life and security, but this right seems to be in danger. The number of ward waging in various parts of the world has affected millions of people. People are either killed or wounded or drift around as refugees. Many are expelled from their homes as part of "ethnic cleansing" – a common phenomenon not only in former Yogoslavia but also in many other civil war type conflicts. All these are serious human rights violations. But how can they be redresses? Can the international community be held responsible and asked to intervene in all these cases to help the victims of war, oppression, persecution to assert their human rights? Can the United Nations possibly be expected to be mounting peace-making and peace-keeping operations in 50 war type conflicts around the globe? Who is

supposed to provide the troops, the logistics, and the money for such a gigantic undertaking?

The eight million people in a war ridden country like Somalia have the right to live in peace and personal freedom and security. But they also have the duty to compromise and to bring their own house in order. A handful of tribal clans cannot hold a whole nation to ransom and cause a chaos which costs the international community billions of dollars. Enormous relief funds are needed to mitigate the effects of relentless civil wars. Much more money will still be needed for peacekeeping operations once the wars come to an end. The interventions of United Nations in these areas are motivated by humanitarian concerns and intended to safeguard human rights. But we should not forget that it is the foremost duty and responsibility of the people in the area to find solutions. The right to self determination cannot mean that every village becomes a sovereign state.

Further, when we speak of a 'right to development' we must also talk about the duty of the more prosperous groups in a society to share their wealth with the less fortunate ones. In a developing society, it is the fundamental duty of all wealthy individuals to invest their capital in their own countries and to pay their taxes to enable the state to help the poor.

So, if we want to promote human rights, we must shoulder our human duties. As philanthropic social worker, we should understand and promote the duty to keep the peace at home and to work for compromise between the various groups in the society and the duty to balance out the economic interests and remove the discrepancies in incomes and standards of living.

Check Your Progress II

Note: Use the space provided for your answer.

1) What do you understand by human rights?

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2) What are the three generations of human rights?

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3) Why is it important to accept and practice human duties?

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6.5 FUNDAMENTAL HUMAN RIGHTS AND DUTIES

The concept of human rights was inherently present in ancient and medieval India. The most celebrated and well-recognized rule of welfare in ancient India was based on the principle of equation of armed units. In the use of weapons also, the principle of parity was followed. *Manudharma* and other ancient writings enumerated military targets and what should not be attacked. In war too, they followed *Dharmayudda* and special mention is made of the treatment of prisoners of war, the sick and the wounded in the *Mahabharata*. The principle of **universal equality** was propounded by *vasudheva kutumbakam* (we are all one human family), and the concept of the **universality of the human soul** was inherent in *tattvam asi* (Thou art that) and *aham bramhmi* (I am that). Moreover, **ahimsa** (non-violence towards all creation in words and deed) laid down the universal conduct tolerance, respect for the individual, peace and cooperation. Furthermore, the concept of *chakravarti* in political theory visualized a one world government to establish peace. Manu wrote his code of law, the *Dharmashastra*, for the entire human race, not for any particular nation.

Humanitarian ideas became popular from the beginning of the ***nineteenth century***. The abolition of Sati (1829), slavery (1811) and female infanticide (1830), the formation of the Torture Commission in the Madras Presidency in 1855, introduction of widow remarriage by legislation (1856) and prohibition of child marriage (1929), were restraints imposed on tradition and the beginning of humanitarian legislation. The enactment of the Indian Penal Code in 1860 (XLV) and a series of prison and jail reforms by regulations and acts was based on reformist tendencies. For preserving the rights of the female children, the Age of Consent Act of 1891 and the Abolition of the Child Marriage Act of 1929 were passed. In addition, the Madras Government passed the Madras Children's Act and the Madras Elementary Education Act in 1920 to safeguard children and provide better education at the primary level. These humanitarian legislations prepared the ground for an awareness of human rights during the war years.

The Human Rights tradition followed during the Freedom struggle movement. Struggle for independence has a glorious saga. The method of struggle was unique-***the non-violent method***- a method unknown and therefore untested hitherto. This unique method influenced many earlier declarations and pronouncements, which ultimately gave the final shape to India's constitution.

After Independence a new spirit emerged in the minds of the framers of the Indian Constitution in the sphere of human rights and human welfare. The ***Constitution of India*** was drafted in 1949, but it was adopted in the climate of the deliberations for the Universal Declaration (1950). While framing the constitution, the authors referred not only to the constitutions of various countries but also to the UN Charter on various political, economic and social matters. It makes several provisions for respect and the protection of human rights. The ***Preamble*** of the Constitution of India reflects the inspiring ideals, with the specific mention of 'dignity of the individual'. The ***Fundamental Rights*** and the ***Directive Principles of State Policy*** are based on the principles of humanitarianism and human rights. On the basis of the ***Directive Principles of State Policy*** the Union Government enacted a number of Acts related to Human Rights, such as Abolition of Untouchability Act, Suppression of Immoral Traffic Act, 1956. The Protection of Human Rights Act, 1993 have enabled the

setting up of the *National Human Rights Commission* and *State Human Rights Commissions* in 14 States till date. To ensure human rights and safeguard the interests of minorities and weaker sections of the community, the Constitution has created several independent bodies such as the *Minorities Commission*, the *Schedule Castes and Scheduled Tribes Commissions, National Commission for Women, etc*. The Constitution of India promotes Gender Rights, Rights of the Child, Rights of the Disabled, Rights of the Bonded Labour etc (Begum, 2000; Nirmal, 1999).

From the above discussions, the following rights may be considered as the fundamental human rights:

1. Right to Life

2. Right to Live with Dignity

3. Right to Equal Treatment and not to be discriminated against

4. Freedom from torture, forced labour, wrongful arrest

5. Right to a fair trial

6. Freedom from Information, thought, conscience, religion

7. Right to privacy

8. Right to free speech and expression

9. Freedom to associate with others and take part in Government, public and community affairs

10. Right to food, housing, health, a clean environment, education, work, equal pay for equal work, strike and

11. Right to preserve one's culture and way of life

It is the fundamental duty and responsibility of every citizen to uphold the above fundamental human rights. As philanthropic social worker, it is our responsibility to spread the message of fundamental human rights to the people who are unable to access information. Every individual should become aware of their rights and strive to perform their duties and responsibilities in an appropriate manner. For example, it is the duty of every consumer to be cautious about their rights and in case of any violation, one should be aware of the existence of the consumer court.

6.6 SALIENT FEATURES OF UNIVERSAL DECLARATION OF HUMAN RIGHTS

On December 10, 1948 the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights (UDHR). The Assembly called upon all Member countries to publicize the text of the Declaration and "to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories." (Retrieved on March 29, 2011from www.un.org).

Preamble

The Preamble to the UDHR recognizes the following:

i) Inherent dignity and of the equal and inalienable rights of all members of the human family. This is the foundation of freedom, justice and peace in the world;

ii) Disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind. Freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people;

iii) If it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law;

iv) It is essential to promote the development of friendly relations between nations;

v) The peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom;

vi) The Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms;

vii) A common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge.

Finally the preamble reaffirms the following:

"Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction".

6.7 ARTICLES IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

There are thirty articles in the UDHR which are given below:

Article 1: All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2: Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3: Everyone has the right to life, liberty and security of person.

Article 4: No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6: Everyone has the right to recognition everywhere as a person before the law.

Article 7: All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8: Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9: No one shall be subjected to arbitrary arrest, detention or exile.

Article 10: Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11:

1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12: No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, or to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13:

1) Everyone has the right to freedom of movement and residence within the borders of each state.

() Everyone has the right to leave any country, including his own, and to return to his country.

Article 14:

1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15:

1) Everyone has the right to a nationality.

2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16:

1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

2) Marriage shall be entered into only with the free and full consent of the intending spouses.

3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17:

1) Everyone has the right to own property alone as well as in association with others.

2) No one shall be arbitrarily deprived of his property.

Article 18: Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19: Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20:

1) Everyone has the right to freedom of peaceful assembly and association.

2) No one may be compelled to belong to an association.

Article 21:

1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

2) Everyone has the right of equal access to public service in his country.

3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22: Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23:

1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

2) Everyone, without any discrimination, has the right to equal pay for equal work.

3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24: Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25:

1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26:

1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27:

1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.**Article 28:** Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 28: Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29:

1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30: Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

6.8 LET US SUM UP

The unit explains the concept of rights, human rights and human duties. The unit also enlists the various fundamental human rights. Finally, the salient features of the Universal Declaration of Human Rights have been presented.

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