

## Chapter – 5

# Global Issues

### 5.0 GLOBALIZATION

Globalization means integration of countries through commerce, transfer of technology, and exchange of information and culture. In a way, it includes acting together and interacting economies through trade, investment, loan, development schemes and capital across countries. In a different sense, these flows include knowledge, science, technology, skills, culture, information, and entertainment, besides direct human resource, tele-work, and outsourcing. This interdependence has increased the complex tensions and ruptures among the nations. For the engineers, the issues such as multinational organizations, computer, internet functions, military development and environmental ethics have assumed greater importance for their very sustenance and progress.

### 5.1 MULTINATIONAL CORPORATIONS

Organisations who have established business in more than one country, are called multinational corporation. The headquarters are in the home country and the business is extended in many host countries. The Western organizations doing business in the less-economically developed (developing, and overpopulated) countries gain the advantage of inexpensive labor, availability of natural resources, conducive-tax atmosphere, and virgin market for the products. At the same time, the developing countries are also benefited by fresh job opportunities, jobs with higher remuneration and challenges, transfer of technology, and several social benefits by the wealth developed. But this happens invariably with some social and cultural disturbance. Loss of jobs for the home country, and loss or exploitation of natural resources, political instability for the *host* countries are some of the threats of globalization.

#### 5.1.1 International Human Rights

To know what are the moral responsibilities and obligations of the multinational corporations operating in the host countries, let us discuss with the framework of rights ethics. Common minimal rights are to be followed to smoothen the transactions when the engineers and employers of MNCs have to interact at official, social, economic and sometimes political levels. At international level, the organizations are expected to adopt the minimum levels of (*a*) values, such as mutual support, loyalty, and reciprocity, (*b*) the negative duty of refraining from harmful actions such as violence and fraud, and (*c*) basic fairness and practical justice in case of conflicts.

The ten international rights to be taken care of, in this context are:<sup>1</sup>

1. Right of freedom of physical movement of people
2. Right of ownership of properties
3. Freedom from torture
4. Right to fair trial on the products
5. Freedom from discrimination on the basis of race or sex. If such discrimination against women or minorities is prevalent in the host country, the MNC will be compelled to accept. MNCs may opt to quit that country if the human rights violations are severe.
6. Physical security. Use of safety gadgets have to be supplied to the workers even if the laws of the host country do not suggest such measures.
7. Freedom of speech and forming association
8. Right to have a minimum education
9. Right to political participation
10. Right to live and exist (i.e., coexistence). The individual liberty and sanctity of the human life are to be respected by all societies.

### 5.1.2 Technology Transfer

It is a process of moving technology to a new setting and implementing it there. Technology includes hardware (machines and installations) and the techniques (technical, organizational, and managerial skills and procedures). It may mean moving the technology applications from laboratory to the field/factory or from one country to another. This transfer is effected by governments, organizations, universities, and MNCs.

### 5.1.3 Appropriate Technology

Identification, transfer, and implementation of most *suitable* technology for a set of new situations, is called *appropriate technology*. Technology includes both hardware (machines and installations) and software (technical, organizational and managerial skills and procedures). Factors such as economic, social, and engineering constraints are the causes for the modification of technology. Depending on the availability of resources, physical conditions (such as temperature, humidity, salinity, geographical location, isolated land area, and availability of water), capital opportunity costs, and the human value system (social acceptability) which includes their traditions, beliefs, and religion, the appropriateness is to be determined.

For example, small farmers in our country prefer to own and use the power tillers, rather than the high-powered tractors or sophisticated harvesting machines. On the other hand, the latest technological device, the cell phones and wireless local loop phones have found their way into remote villages and hamlets, than the landline telephone connections. Large aqua-culture farms should not make the existing fishermen jobless in their own village.

The term *appropriate* is value based and it should ensure fulfillment of the human needs and protection of the environment.

### 5.1.4 How Appropriate is Aptech?

1. A case against the technology transfer is that the impact of borrowed or transferred technology has been threatening the environment beyond its capacity and sustainable development of

the host countries. Large plantations that orient their efforts to exports leave the small farmers out of jobs and at the mercy of the foreign country. For example, genetically-modified cotton have shown sufficient disturbance in Europe and Africa. This has made the European Union to oppose the entry of G.M. cotton into Europe.

2. The high technology has contributed to large-scale migration from villages to the cities where corporations are located, leading to the undesirable side-effects of overcrowding of cities, such as the scarcity of water, insanitation, poverty, and the increase in crimes.
3. The term 'appropriate' should emphasize the social acceptability and environmental protection of the host countries, and this need to be addressed while transferring technology. Thus, we confirm the view that engineering is a continual social experimentation with nature.

### 5.1.5 MNCs and Morality

The economic and environmental conditions of the home and host countries may vary. But the multinational institutions have to adopt appropriate measures not to disturb or dislocate the social and living conditions and cultures of the home countries. A few principles are enlisted here:

1. MNC should respect the basic human rights of the people of the host countries.
2. The activities of the MNC should give economic and transfer technical benefits, and implement welfare measures of the workers of the host countries.
3. The business practices of the multinational organisations should improve and promote morally justified institutions in the host countries.
4. The multinationals must respect the laws and political set up, besides cultures and promote the cultures of the host countries.
5. The multinational organisations should provide a fair remuneration to the employees of the host countries. If the remuneration is high as that of home country, this may create tensions and if it is too low it will lead to exploitation.
6. Multinational institutions should provide necessary safety for the workers when they are engaged in hazardous activities and 'informed consent' should be obtained from them. Adequate compensation should be paid to them for the additional risks undertaken.

### 5.1.5 Case Study: Bhopal Gas Tragedy

The Union Carbide had 51% and the Indian subsidiary UC India Ltd. had 49% of stock. In 1983, there were 14 plants in India manufacturing chemicals, pesticides, and other hazardous products. The Bhopal plant had a license to make Methyl isocyanate-based pesticides. In November 1984, they had decided to close down the plant. For quite some years before the production rate was going down.

In the history of chemical plants disasters, three other wake-up calls were reported. Flixborough accident in 1974 in U.K. when certain modifications carried out in the plant led to the leakage and explosion of *cyclohexane*, which killed 28 people. The Piper Alpha offshore oil platform disaster in 1988, near Scotland, killed 167 people and resulted in \$ 2 billion losses. The third occurred in Toulouse, France in 2001, killing 29 people, and injuring thousands. A warehouse holding 300 tonnes of *ammonium nitrate* fertilizer exploded and damaged 10000 buildings, including schools, a university, and a hospital. But we have not learnt from the past.

The cumulative effects of the following factors caused the tragedy in Bhopal on December 3, 1984.

1. Maintenance was neglected and the trained maintenance personnel were reduced as economy measure. Need for quick diagnosis aggravates the situation by causing considerable psychological stress on the plant personnel.
2. Training activities for the supervisory personnel were stopped. This led to inadequate training of the personnel to handle emergencies.
3. Periodical Safety Inspection teams from U.S. which visited previously were also stopped. From the initial U.S. Standards, the safety procedures were reduced to low level Indian standards. The procedures had been deteriorating at these sites for weeks or months, prior to the accident. There was clear lack of management systems and procedures to ensure safety.
4. Vital spares for equipments and machineries were not available
5. Absence of capital replacement led to the stagnant economy of the plant.
6. The high turnover of the experienced engineers and technicians, who were demoralized by the lack of development.
7. Lack of experienced personnel to operate and control the vital installations.
8. They have not conducted a thorough process hazards analysis that would have exposed the serious hazards which resulted in disaster later.
9. No emergency plan was put in practice, during the shut down and maintenance.
10. Above all, the commitment of top-level management to safety was lacking. They have been paying only lip service to safety of people of the host country.

Technologically, the tragedy was caused by a series of events listed:

1. The safety manual of Union Carbide prescribed that the MIC tanks were to be filled only up to 60% of the capacity. But the tanks were reported to have been filled up to 75%.
2. The safety policy prescribed that an empty tank should be available as a stand-by in case of emergency. But the emergency tank was also filled with to its full capacity. These facts confirmed that the MNC had not followed and implemented appropriate safety standards of the home country in the host country. Can this be called as an example of 'misappropriate technology'?
3. The storage tanks should be refrigerated to make the chemical less reactive. But here the refrigeration system was shut down as an economy measure. This raised the temperature of the gas stored.
4. The plant was shut down for maintenance two months earlier. The worker who cleaned the pipes and filters connected to the tanks and closed the valves, was not trained properly. He did not insert the safety disks to prevent any possible leakage of the gas. This led to the build up of temperature and pressure in the storage tanks.
5. When the gas started leaking out, the operators tried to use the vent gas-scrubber that was designed to reduce the exhausting gas. But that scrubber was also shut down.
6. There was a flare tower that was designed to burn-off the gas escaping from the scrubber. That was not also in working condition.
7. The workers finally tried to spray water up to 100 feet to quench the gas (which is water soluble). But the gas was escaping from the chimney of 120-feet high.
8. The workers were not trained on safety drills or emergency drills or any evacuation plans.

The gas escaped into the air and spread over 40 sq. km. About 600 people died and left 7000 injured and the health of about 2 million people was affected adversely. Even after 22 years, influence of the Central Government and the courts, the compensation had not reached all the affected people.

### 5.1.6 Ethical Balance

Should an organization adopt the rules and practices of the host country fully and face dangers and other serious consequences or adopt strictly their own country's standards and practices in the host country?

There is a saying, "When in Rome do as Romans do". Can this be applied in the case of MNCs? This is called *ethical relativism*. The actions of corporation and individuals that are accepted by law, custom and other values of a society can be morally right in that society. It is morally false, if it is illogical. It means, the corporation (and the engineers) functioning in other countries must understand their law, customs, and beliefs and act in line with those prevailing in that country. This will lead to disaster if the country is a developing one where the safety standards are given a go-bye. Laws and conventions are not morally self-sustaining. In a overpopulated country, the loss of human lives may not physically affect them, but the tragedy cast shadow for over decades, as it happened in Bhopal in 1984. This will be criticized from the points of view of human rights, public welfare, and respect to people.

On the other hand, the organizations may practice laws of the home country, without adjustments to the host culture. This stand is called *ethical absolutism*. This is again false, since the moral principles in a different culture come into conflicts, and implementation in the 'hostile' culture is almost impossible.

Hence, MNCs may adopt *ethical relationalism (contextualism)* as a compromise. Moral judgments are made in relation to the factors prevailing locally, without framing rigid rules. The judgments should be contextual and in line with the customs of other cultures. The *ethical pluralism* which views more than one justifiable moral solution is also adaptable. This principle accepts cultural diversity and respects the legitimate cultural differences among individuals and groups, of the host country.

## 5.2 ENVIRONMENTAL ETHICS

Environmental ethics is the study of (a) moral issues concerning the environment, and (b) moral perspectives, beliefs, or attitudes concerning those issues.

Engineers in the past are known for their negligence of environment, in their activities. It has become important now that engineers design eco-friendly tools, machines, sustainable products, processes, and projects. These are essential now to (a) ensure protection (safety) of environment (b) prevent the degradation of environment, and (c) slow down the exploitation of the natural resources, so that the future generation can survive.

The American Society of Civil Engineers (ASCE) code of ethics, has specifically requires that "engineers shall hold paramount the safety, health, and welfare of the public and shall strive to comply with the principles of sustainable development in the performance of professional duties" The term *sustainable development* emphasizes on the investment, orientation of technology, development and functioning of organizations to meet the present needs of people and at the same time ensuring the future generations to meet their needs.

Compaq Computer Corporation (now merged with HP) was the leader, who exhibited their commitment to environmental health, through implementation of the concept of 'Design for environment' on their products, unified standards all over the world units, and giving priority to vendors with a record of environmental concern.

Engineers as experimenters have certain duties towards environmental ethics, namely:

1. *Environmental impact assessment*: One major but sure and unintended effect of technology is wastage and the resulting pollution of land, water, air and even space. Study how the industry and technology affects the environment.
2. *Establish standards*: Study and to fix the tolerable and actual pollution levels.
3. *Counter measures*: Study what the protective or eliminating measures are available for immediate implementation
4. *Environmental awareness*: Study on how to educate the people on environmental practices, issues, and possible remedies.

## 5.2.1 Disasters

### 1. *Plastic Waste Disposal*

In our country, several crores of plastic bottles are used as containers for water and oil, and plastic bags are used to pack different materials ranging from vegetables to gold ornaments. Hardly any of these are recycled. They end up in gutters, roadsides, and agricultural fields. In all these destinations, they created havoc. The worse still is the burning of plastic materials in streets and camphor along with plastic cover in temples, since they release toxic fumes and threaten seriously the air quality. Cities and local administration have to act on this, collect and arrange for recycling through industries.

### 2. *e-Waste Disposal*

The parts of computers and electronic devices which have served its useful life present a major environmental issue for all the developing countries including India. This scrap contains highly toxic elements such as lead, cadmium, and mercury.

Even the radioactive waste will lose 89% of its toxicity after 200 years, by which time it will be no more toxic than some natural minerals in the ground. It will lose 99% of its remaining toxicity over the next 30,000 years. The toxic chemical agents such as mercury, arsenic, and cadmium retain toxicity undiminished for ever.

But these scraps are illegally imported by unscrupulous agencies to salvage some commercially-valuable inputs. Instead of spending and managing on the scrap, unethical organizations sell them to countries such as India. This is strictly in violation of the Basel Convention of the United Nations Environment Program, which has banned the movement of hazardous waste. A recent report of the British Environment Agency,<sup>13</sup> has revealed that the discarded computers, television sets, refrigerators, mobile phones, and electrical equipments have been dispatched to India and Pakistan in large quantity, for ultimate disposal in environmentally-unacceptable ways and at great risk to the health of the labour. Even in the West, the electronic junk has been posing problems. Strong regulation including (a) pressure on industries to set up disassembling facilities, (b) ban on disposal in landfill sites, (c) legislation for recycling requirements for these junk and (d) policy incentives for eco-friendly design are essential for our country. The European Union through the Waste Electrical and Electronic Equipment (WEEE)

directive has curbed the e-waste dumping by member countries and require manufacturers to implement methods to recover and recycle the components.

Indian Government expressed its concern through a technical guide on environmental management for IT Industry in December, 2004. It is yet to ratify the ban on movement of hazardous waste according to the Basel Convention. A foreign news agency exposed a few years back, the existence of a thriving e-waste disposal hub in a suburb of New Delhi, operating in appallingly dangerous conditions. Our country needs regulations to define waste, measures to stop illegal imports, and institutional structures to handle safe disposal of domestic industrial scrap.

### **3. Industrial Waste Disposal**

There has been a lot of complaints through the media, on (a) against the Sterlite Copper Smelting Plant in Thuthukkudi (1997) against its pollution, and (b) when Indian companies imported the discarded French Warship *Clemenceau* for disposal, the poisonous *asbestos* compounds were expected to pollute the atmosphere besides exposing the labor to a great risk, during the disposal. The government did not act immediately. Fortunately for Indians, the French Government intervened and withdrew the ship, and the serious threat was averted!

### **4. Depletion of Ozone Layer**

The *ozone* layer protects the entire planet from the ill-effects of ultraviolet radiation and is vital for all living organisms in this world. But it is eaten away by the Chloro-fluro-carbons (CFC) such as *freon* emanating from the refrigerators, air conditioners, and aerosol can spray. This has caused also skin cancer to sun-bathers in the Western countries. Further NO and NO<sub>2</sub> gases were also found to react with the ozone. Apart from engineers, the organizations, laws of the country and local administration and market mechanisms are required to take up concerted efforts to protect the environment.

### **5. Global Warming**

Over the past 30 years, the Earth has warmed by 0.6 °C. Over the last 100 years, it has warmed by 0.8 °C. It is likely to push up temperature by 3 °C by 2100, according to NASA's studies. The U.S. administration has accepted the reality of global climate change, which has been associated with stronger hurricanes, severe droughts, intense heat waves and the melting of polar ice. Greenhouse gases, notably carbon dioxide emitted by motor vehicles and coal-fired power plants, trap heat like the glass walls of a greenhouse, cause the Earth to warm up. Delegates from the six countries — Australia, China, India, Japan, South Korea and US met in California in April 2006 for the first working session of the Asia-Pacific Partnership on Clean Development and Climate. These six countries account for about half of the world's emissions of climate-heating greenhouse gases. Only one of the six, Japan, is committed to reducing greenhouse gas emissions by at least 5.2 per cent below 1990 levels by 2012 under the Kyoto Agreement.

About 190 nations met in Germany in the middle of May 2006 and tried to bridge vast policy gaps between the United States and its main allies over how to combat climate change amid growing evidence that the world is warming that could wreak havoc by stoking more droughts, heat waves, floods, more powerful storms and raise global sea levels by almost a meter by 2100.

## 6. Acid Rain

Large emissions of sulphur oxides and nitrous oxides are being released in to the air from the thermal power stations using the fossil fuels, and several processing industries. These gases form compounds with water in the air and precipitates as rain or snow on to the earth. The acid rain in some parts of the world has caused sufficient damage to the fertility of the land and to the human beings.

### 5.2.2 Human-centered Environmental Ethics

This approach assumes that only human beings have inherent moral worth duly to be taken care of. Other living being and ecosystems are only instrumental in nature. Utilitarianism aims to maximize good consequences for human beings. Most of the goods are engineered products made out of natural resources. Human beings have also (a) recreational interests (enjoy leisure through mountaineering, sports, and pastimes), (b) aesthetic interests (enjoy nature as from seeing waterfalls and snow-clad mountains), (c) scientific interests to explore into nature or processes, and (d) a basic interest to survive, by preservation as well as conservation of nature and natural resources.

Rights ethicists favor the basic rights to live and right to liberty, to realise the right to a live in a supportive environment. Further, virtue ethics stresses importance of prudence, humility, appreciation of natural beauty, and gratitude to the mother nature that provides everything.

However, the nature-centered ethics, which ensures the worth of all living beings and organisms, seems to be more appropriate in the present-day context. Many Asian religions stress the unity with nature, rather than domination and exploitation. The Zen Buddhism calls for a simple life with compassion towards humans and other animals. Hinduism enshrines the ideal of oneness (advaita) in and principle of *ahimsa* to all living beings. It identifies all the human beings, animals, and plants as divine. The eco-balance is the need of the hour and the engineers are the right experimenters to achieve this.

## 5.3 COMPUTER ETHICS

Computer ethics is defined as (a) study and analysis of nature and social impact of computer technology, (b) formulation and justification of policies, for ethical use of computers. This subject has become relevant to the professionals such as designers of computers, programmers, system analysts, system managers, and operators. The use of computers have raised a host of moral concerns such as free speech, privacy, intellectual property right, and physical as well as mental harm. There appears to be no conceptual framework available on ethics, to study and understand and resolve the problems in computer technology.

### 5.3.1 Types of Issues

Different types of problems are found in computer ethics.

#### 1. Computer as the Instrument of Unethical Acts

- (a) The usage of computer replaces the job positions. This has been overcome to a large extent by readjusting work assignments, and training everyone on computer applications such as word processing, editing, and graphics.

- (b) Breaking privacy. Information or data of the individuals accessed or erased or the ownership changed.
- (c) Defraud a bank or a client, by accessing and withdrawing money from other's bank account.

## 2. Computer as the Object of Unethical Act

The data are accessed and deleted or changed.

- (a) *Hacking*: The software is stolen or information is accessed from other computers. This may cause financial loss to the business or violation of privacy rights of the individuals or business. In case of defense information being hacked, this may endanger the security of the nation.
- (b) *Spreading virus*: Through mail or otherwise, other computers are accessed and the files are erased or contents changed altogether. 'Trojan horses' are implanted to distort the messages and files beyond recovery. This again causes financial loss or mental torture to the individuals. Some hackers feel that they have justified their right of free information or they do it for fun. However, these acts are certainly unethical.
- (c) *Health hazard*: The computers pose threat during their use as well as during disposal. These are discussed in # 5.3.2 and # 5.2.1, respectively, in detail.

## 3. Problems Related to the Autonomous Nature of Computer

- (a) *Security risk*: Recently the Tokyo Stock Exchange faced a major embarrassment. A seemingly casual mistake by a junior trader of a large security house led to huge losses including that of reputation. The order through the exchange's trading system was to sell one share for 600,000 Yen. Instead the trader keyed in a sale order for 600,000 shares at the rate of one Yen each. Naturally the shares on offer at the ridiculously low price were lapped up. And only a few buyers agreed to reverse the deal! The loss to the securities firm was said to be huge, running into several hundred thousands. More important to note, such an obvious mistake could not be corrected by some of the advanced technology available. For advanced countries like Japan who have imbibed the latest technology, this would be a new kind of learning experience.<sup>12</sup>
- (b) *Loss of human lives*: Risk and loss of human lives lost by computer, in the operational control of military weapons. There is a dangerous instability in automated defense system. An unexpected error in the software or hardware or a conflict during interfacing between the two, may trigger a serious attack and cause irreparable human loss before the error is traced. The Chinese embassy was bombed by U.S. military in Iraq a few years back, but enquiries revealed that the building was shown in a previous map as the building where insurgents stayed.
- (c) In flexible manufacturing systems, the autonomous computer is beneficial in obtaining continuous monitoring and automatic control.

Various issues related to computer ethics are discussed as follows:

### 5.3.2 Computers In Workplace

The ethical problems initiated by computers in the workplace are:

1. Elimination of routine and manual jobs. This leads to unemployment, but the creation of skilled and IT-enabled service jobs are more advantageous for the people. Initially this may

require some upgradation of their skills and knowledge, but a formal training will set this problem right. For example, in place of a typist, we have a programmer or an accountant.

2. *Health and safety*: The ill-effects due to electromagnetic radiation, especially on women and pregnant employees, mental stress, wrist problem known as *Carpel Tunnel Syndrome*, and backpain due to poor ergonomic seating designs, and eye strain due to poor lighting and flickers in the display and long exposure, have been reported worldwide. Over a period of long exposure, these are expected to affect the health and safety of the people. The computer designers should take care of these aspects and management should monitor the health and safety of the computer personnel.
3. *Computer failure*: Failure in computers may be due to errors in the hardware or software. Hardware errors are rare and they can be solved easily and quickly. But software errors are very serious as they can stop the entire network. Testing and quality systems for software have gained relevance and importance in the recent past, to avoid or minimize these errors.

### 5.3.3 Property Issues

The property issues concerned with the computers are:

1. Computers have been used to extort money through anonymous telephone calls.
2. Computers are used to cheat and steal by current as well as previous employees.
3. Cheating of and stealing from the customers and clients.
4. Violation of contracts on computer sales and services.
5. Conspiracy as a group, especially with the internet, to defraud the gullible, stealing the identity and to forge documents.
6. Violation of property rights: Is the software a property? The software could be either a Program (an algorithm, indicating the steps in solving a problem) or a Source code (the algorithm in a general computer language such as FORTRAN, C and COBOL or an Object code (to translate the source code into the machine language). How do we apply the concept of property here? This demands a framework for ethical judgments.

Property is what the laws permits and defines as can be owned, exchanged, and used. The computer hardware (product) is protected by patents. The software (idea, expression) is protected by copyrights and trade secrets. But algorithms can not be copyrighted, because the mathematical formulas can be discovered but not owned. The object codes which are not intelligible to human beings can not be copyrighted.

Thus, we see that reproducing multiple copies from one copy of (licensed) software and distribution or sales are crimes. The open source concepts have, to a great extent, liberalized and promoted the use of computer programs for the betterment of society.

### 5.3.4 Computer Crime

The ethical features involved in computer crime are:

#### 1. *Physical Security*

The computers are to be protected against theft, fire, and physical damage. This can be achieved by proper insurance on the assets.

## 2. Logical security

The aspects related are (a) the privacy of the individuals or organizations, (b) confidentiality, (c) integrity, to ensure that the modification of data or program are done only by the authorized persons, (d) uninterrupted service. This is achieved by installing appropriate uninterrupted power supply or back-up provisions, and (e) protection against hacking that causes dislocation or distortion. Licensed anti-virus packages and firewalls are used by all computer users to ensure this protection. Passwords and data encryption have been incorporated in the computer software as security measures. But these have also been attacked and by-passed. But this problem is not been solved completely.

Major weaknesses in this direction are: (a) the difficulty in tracing the evidence involved and (b) absence of stringent punishment against the crime. The origin of a threat to the Central Government posted from an obscure browsing center, remained unsolved for quite a long time. Many times, such crimes have been traced, but there are no clear *cyber laws* to punish and deter the criminals.

### 5.3.5 Privacy and Anonymity

The data transmission and accessibility have improved tremendously by using the computers, but the right to privacy has been threatened to a great extent. Some issues concerned with the privacy are listed hereunder:

#### 1. Records of Evidence

Service records or criminal records and the details of people can be stored and accessed to prove the innocence or guilty. Records on psychiatric treatment by medical practitioners or hospital, or records of membership of organizations may sometime embarrass the persons in later years.

#### 2. Hacking

There are computer enthusiasts who willfully or for fun, plant virus or “Trojan horses” that may fill the disc space, falsify information, erase files, and even harm the hardware. They breakdown the functioning of computers and can be treated as violation of property rights. Some hackers opine that the information should be freely available for everybody. It is prudent that the right to individual privacy in limiting the access to the information on oneself, should not be violated. Further any unauthorized use of personal information (which is a property), is to be considered as theft. Besides the individual privacy, the national security, and freedom within the economy are to be respected. The proprietary information and data of the organizations are to be protected so that they can pursue the goals without hindrance.

#### 3. Legal Response

In the Indian scene, the Right to Information Act 2005 <sup>14</sup> provides the right to the citizens to secure access to information *under the control of public authorities*, including the departments of the central government, state governments, government bodies, public sector companies and public sector banks, to promote transparency and accountability of public authorities.

Right to information: Under the Act, section 2 (j), the right to information includes the right to (1) Inspect works, documents, records, (2) take notes, extracts or certified copies of documents or records, (3) take certified samples of material, and (4) obtain information in the form of printouts, diskettes, floppies, tapes, video cassettes or in any other electronic mode.

WHAT IS NOT OPEN TO DISCLOSURE? The following are exempt from disclosure (Sections 8 and 11)

1. Information, disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the state, relation with, foreign state or lead to incitement of an offence.
2. Information which has been expressly forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court.
3. Information, the disclosure of which would cause a breach of privilege of Parliament or the State Legislature.
4. Information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public \*interest warrants the disclosure of such information.
5. Information available to a person in his fiduciary relationship, unless the competent authority is satisfied that \*the larger public interest warrants the disclosure of such information.
6. Information received in confidence from foreign government.
7. Information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes.
8. Information which would impede the process of investigation or apprehension or prosecution of offenders.
9. Information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual.
10. Notwithstanding anything in the Official Secrets Act 1923 nor any of the exemptions listed above, a public authority may allow access to information, if public interest in disclosure outweighs the harm to the protected interests.
11. Where the Information Officer, intends to disclose any information or record, on a request, which relates to or has been supplied by a third party and has been treated as confidential by that third party, the officer shall give a written notice to such third party of the request and of the fact that the officer intends to disclose the information, and invites the third party to make a submission *in writing or orally*, regarding whether the information should be disclosed, and such submission of the third party shall be kept in view while taking a decision about disclosure of information: provided that except in the case of trade or commercial secrets protected by law, disclosure may be allowed if the public interest in disclosure outweighs in importance any possible harm or injury to the interests of such third party.

Laws to regulate the access to information are very expensive to enforce and inconvenient to genuine users such as accessing records of people for medical research.

#### **4. Anonymity**

Anonymity in the computer communication has some merits as well as demerits. While seeking medical or psychological counseling or discussion (chat) on topics, such as AIDS, abortion, gay rights, the

anonymity offers protection (against revealing their identity). But frequently, anonymity is misused by some people for money laundering, drug trafficking and preying upon the vulnerable.

### 5.3.6 Professional Responsibility

The computer professionals should be aware of different conflicts of interests as they transact with other at different levels. The IEEE and Association for Computing Machinery (ACM) have established the codes of ethics to manage such responsibilities.

### 5.3.7 The Big Net

Almost all the countries are now connected by the internet. But there are no international laws to regulate the issues of freedom of speech, intellectual property rights, privacy rights etc. Another development in this direction is, the universities offering degrees-on-line. Third World is certainly gaining knowledge and education. Even Google.com has announced plans to publish research papers through the World Wide Web. Knowledge is power. Knowledge is internationalised! Will this lead to empowerment of the Third World and promotion of World peace? Only the future can answer this question.

## 5.4 WEAPONS DEVELOPMENT

Military activities including the world wars have stimulated the growth of technology. The growth of Internet amply illustrates this fact. The development of warfare and the involvement of engineers bring out many ethical issues concerned with engineers, such as the issue of integrity in experiments as well as expenditure in defense research and development, issue of personal commitment and conscience, and the issues of social justice and social health.

Engineers involve in weapons development because of the following reasons:

1. It gives one job with high salary.
2. One takes pride and honor in participating in the activities towards the defense of the nation (patriotic fervor).
3. One believes the he fights a war on terrorism and thereby contribute to peace and stability of the country. Ironically, the wars have never won peace, only peace can win peace!
4. By research and development, the engineer is reducing or eliminating the risk from enemy weapons, and saving one's country from disaster.
5. By building-up arsenals and show of force, a country can force the rogue country, towards regulation. Engineers can participate effectively in arms control negotiations for surrender or peace, e.g., bombing of Nagasaki and Hiroshima led to surrender by the Japanese in 1945.

Many engineers had to fight and convince their personal conscience. The scene such as that of a Vietnamese village girl running wild with burns on the body and horror in the face and curse in her mind has moved some engineers away from their jobs.

## 5.5 ENGINEERS AS MANAGERS

### 5.5.1 Characteristics

The characteristics of engineers as managers are:

1. Promote an ethical climate, through framing organization policies, responsibilities and by personal attitudes and obligations.
2. Resolving conflicts, by evolving priority, developing mutual understanding, generating various alternative solutions to problems.
3. Social responsibility to stakeholders, customers and employers. They act to develop wealth as well as the welfare of the society. Ethicists project the view that the manager's responsibility is only to increase the profit of the organization, and only the engineers have the responsibility to protect the safety, health, and welfare of the public. But managers have the ethical responsibility to produce safe and good products (or useful service), while showing respect for the human beings who include the employees, customers and the public. Hence, the objective for the managers and engineers is to produce valuable products that are also profitable.

### 5.5.2 Managing Conflicts

In solving conflicts, force should not be resorted. In fact, the conflict situations should be tolerated, understood, and resolved by participation by all the concerned. The conflicts in case of project managers arise in the following manners:

- (a) Conflicts based on schedules: This happens because of various levels of execution, priority and limitations of each level.
- (b) Conflicts arising out of fixing the priority to different projects or departments. This is to be arrived at from the end requirements and it may change from time to time.
- (c) Conflict based on the availability of personnel.
- (d) Conflict over technical, economic, and time factors such as cost, time, and performance level.
- (e) Conflict arising in administration such as authority, responsibility, accountability, and logistics required.
- (f) Conflicts of personality, human psychology and ego problems.
- (g) Conflict over expenditure and its deviations.

Most of the conflicts can be resolved by following the principles listed here:

#### 1. People

Separate people from the problem. It implies that the views of all concerned should be obtained. The questions such as what, why, and when the error was committed is more important than to know who committed it. This impersonal approach will lead to not only early solution but also others will be prevented from committing errors.

#### 2. Interests

Focus must be only on interest i.e., the ethical attitudes or motives and not on the positions (i.e., stated views). A supplier may require commission larger than usual prevailing rate for an agricultural product.

But the past analysis may tell us that the material is not cultivated regularly and the monsoon poses some additional risk towards the supply. Mutual interests must be respected to a maximum level. What is right is more important than who is right!

### **3. Options**

Generate various options as solutions to the problem. This helps a manager to try the next best solution should the first one fails. Decision on alternate solutions can be taken more easily and without loss of time.

### **4. Evaluation**

The evaluation of the results should be based on some specified objectives such as efficiency, quality, and customer satisfaction. More important is that the means, not only the goals, should be ethical.

## **5.6 CONSULTING ENGINEERS**

The consulting engineers work in private. There is no salary from the employers. But they charge fees from the sponsor and they have more freedom to decide on their projects. Still they have no absolute freedom, because they need to earn for their living. The consulting engineers have ethical responsibilities different from the salaried engineers, as follows:

### **1. Advertising**

The consulting engineers are directly responsible for advertising their services, even if they employ other consultants to assist them. But in many organisations, this responsibility is with the advertising executives and the personnel department.

They are allowed to advertise but to avoid deceptive ones. Deceptive advertising such as the following are prohibited:

- (a) By white lies.
- (b) Half-truth, e.g., a product has actually been tested as prototype, but it was claimed to have been already introduced in the market. An architect shows the photograph of the completed building with flowering trees around but actually the foundation of the building has been completed and there is no real garden.
- (c) Exaggerated claims. The consultant might have played a small role in a well-known project. But they could claim to have played a major role.
- (d) Making false suggestions. The reduction in cost might have been achieved along with the reduction in strength, but the strength details are hidden.
- (e) Through vague wordings or slogans.

### **2. Competitive Bidding**

It means offering a price, and get something in return for the service offered. The organizations have a pool of engineers. The expertise can be shared and the bidding is made more realistic. But the individual consultants have to develop creative designs and build their reputation steadily and carefully, over a period of time. The clients will have to choose between the reputed organizations and proven

qualifications of the company and the expertise of the consultants. Although competent, the younger consultants are thus slightly at a disadvantage.

### **3. Contingency Fee**

This is the fee or commission paid to the consultant, when one is successful in saving the expenses for the client. A sense of honesty and fairness is required in fixing this fee. The NSPE Code III 6 (a) says that the engineers shall not propose or accept a commission on a contingent basis where their judgment may be compromised.

The fee may be either as an agreed amount or a fixed percentage of the savings realized. But in the contingency fee-agreements, the judgment of the consultant may be biased. The consultant may be tempted to specify inferior materials or design methods to cut the construction cost. This fee may motivate the consultants to effect saving in the costs to the clients, through reasonably moral and technological means.

### **4. Safety and Client's Needs**

The greater freedom for the consulting engineers in decision making on safety aspects, and difficulties concerning truthfulness are the matters to be given attention. For example, in design-only projects, the consulting engineers may design something and have no role in the construction. Sometimes, difficulties may crop-up during construction due to non-availability of suitable materials, some shortcuts in construction, and lack of necessary and adequate supervision and inspection. Properly-trained supervision is needed, but may not happen, unless it is provided. Further, the contractor may not understand and/or be willing to modify the original design to serve the clients best.

A few on-site inspections by the consulting engineers will expose the deficiency in execution and save the workers, the public, and the environment that may be exposed to risk upon completion of the project.

The NSPE codes on the advertisement by consultants provide some specific regulations. The following are the activities prohibited in advertisement by consultant:

1. The use of statement containing misrepresentation or omission of a necessary fact.
2. Statement intended or likely to create an unjustified expectation.
3. Statement containing prediction of future (probable) success.
4. Statement intended or likely to attract clients, by the use of slogans or sensational language format.

## **5.7 ENGINEERS AS EXPERT WITNESS**

Frequently engineers are required to act as consultants and provide expert opinion and views in many legal cases of the past events. They are required to explain the causes of accidents, malfunctions and other technological behavior of structures, machines, and instruments, e.g., personal injury while using an instrument, defective product, traffic accident, structure or building collapse, and damage to the property, are some of the cases where testimonies are needed. The focus is on the past.

The functions of eye-witness and expert-witness are different as presented in the Table 5.1.

**Table 5.1** Eye-witness and expert-witness

<i>Eye-witness</i>	<i>Expert-witness</i>
<ol style="list-style-type: none"> <li>1. Eye-witness gives evidence on only what has been seen or heard actually (perceived facts)</li> </ol>	<ol style="list-style-type: none"> <li>1. Gives expert view on the facts in their area of their expertise</li> <li>2. Interprets the facts, in term of the cause and effect relationship</li> <li>3. Comments on the view of the opposite side</li> <li>4. Reports on the professional standards, especially on the precautions when the product is made or the service is provided</li> </ol>

The engineers, who act as expert-witnesses, are likely to abuse their positions in the following manners:

**1. Hired Guns**

Mostly lawyers hire engineers to serve the interest of their clients. Lawyers are permitted and required to project the case in a way favorable to their clients. But the engineers have obligations to thoroughly examine the events and demonstrate their professional integrity to testify only the truth in the court. They do not serve the clients of the lawyers directly. The hired guns forward white lies and distortions, as demanded by the lawyers. They even withhold the information or shade the fact, to favor their clients.

**2. Money Bias**

Consultants may be influenced or prejudiced for monetary considerations, gain reputation and make a fortune.

**3. Ego Bias**

The assumption that the own side is innocent and the other side is guilty, is responsible for this behavior. An inordinate desire to serve one’s client and get name and fame is another reason for this bias.

**4. Sympathy Bias**

Sympathy for the victim on the opposite side may upset the testimony. The integrity of the consultants will keep these biases away from the justice. The court also must obtain the balanced view of both sides, by examining the expert witnesses of lawyers on both sides, to remove a probable bias.

**5.7.1 Duties**

1. The expert-witness is required to exhibit the responsibility of *confidentiality* just as they do in the consulting roles. They can not divulge the findings of the investigation to the opposite side, unless it is required by the court of law.
2. More important is that as witness they are *not required to volunteer* evidence favorable to the opponent. They must answer questions truthfully, need not elaborate, and remain neutral until the details are asked for further.
3. They should be *objective* to discover the truth and communicate them honestly.

4. The stand of the experts depends on the *shared understanding* created within the society. The legal system should be respected and at the same time, they should act in conformance with the professional standards as obtained from the code of ethics.
5. The experts should earnestly be *impartial* in identifying and interpreting the observed data, recorded data, and the industrial standards. They should not distort the truth, even under pressure. Although they are hired by the lawyers, they do not serve the lawyers or their clients. They serve the justice. Many a time, their objective judgments will help the lawyer to put up the best defense for their clients.

## 5.8 ENGINEERS AS ADVISORS IN PLANNING AND POLICY MAKING

### Advisors

The engineers are required to give their view on the future such as in planning, policy-making, which involves the technology. For example, should India expand nuclear power options or support traditional energy sources such as fossil fuels or alternative forms like solar and wind energy? In the recent past, this topic has created lot of fireworks, in the national media.

Various issues and requirements for engineers who act as advisors are:

#### 1. Objectivity

The engineers should study the cost and benefits of all possible alternative means in objective manner, within the specified conditions and assumptions.

#### 2. Study All Aspects

They have to study the economic viability (effectiveness), technical feasibility (efficiency), operational feasibility (skills) and social acceptability, which include environmental and ethical aspects, before formulating the policy.

#### 3. Values

Engineers have to possess the qualities, such as (a) honesty, (b) competence (skills and expertise), (c) diligence (careful and alert) (d) loyalty in serving the interests of the clients and maintaining confidentiality, and (e) public trust, and respect for the common good, rather than serving only the interests of the clients or the political interests.

#### 4. Technical Complexity

The arbitrary, unrealistic, and controversial assumptions made during the future planning that are overlooked or not verified, will lead to moral complexity. The study on future is full of uncertainties than the investigations on the past events. On the study of energy options, for example, assumptions on population increase, life style, urbanization, availability of local fossil resources, projected costs of generating alternative forms of energy, world political scenario, world military tensions and pressures from world organizations such as World Trade Organisation (W.T.O.) and European Union (EU) may increase the complexity in judgment on future.

#### 5. National Security

The proposed options should be aimed to strengthen the economy and security of the nation, besides safeguarding the natural resources and the environment from exploitation and degradation.

For the advisors on policy making or planning, a shared understanding on balancing the conflicting responsibilities, both to the clients and to the public, can be effected by the following roles or models:

### **1. Hired Gun**

The prime obligation is shown to the clients. The data and facts favorable to the clients are highlighted, and unfavorable aspects are hidden or treated as insignificant. The minimal level of interest is shown for public welfare.

### **2. Value-neutral Analysts**

This assumes an impartial engineer. They exhibit conscientious decisions, impartiality i.e., without bias, fear or favor, and absence of advocacy.

### **3. Value-guided Advocates**

The consulting engineers remain honest (frank in stating all the relevant facts and truthful in interpretation of the facts) and autonomous (independent) in judgement and show paramount importance to the public (as different from the hired guns).

## **5.9 MORAL LEADERSHIP**

Engineers provide many types of leadership in the development and implementation of technology, as managers, entrepreneurs, consultants, academics and officials of the government. Moral leadership is not merely the dominance by a group. It means adopting reasonable means to motivate the groups to achieve morally desirable goals. This leadership presents the engineers with many challenges to their moral principles.

Moral leadership is essentially required for the engineers, for the reasons listed as follows:

1. It is leading a group of people towards the achievement of global and objectives. The goals as well as the means are to be moral. For example, Hitler and Stalin were leaders, but only in an instrumental sense and certainly not on moral sense.
2. The leadership shall direct and motivate the group to move through morally desirable ways.
3. They lead by thinking ahead in time, and morally creative towards new applications, extension and putting values into practice. 'Morally creative' means the identification of the most important values as applicable to the situation, bringing clarity within the groups through proper communication, and putting those values into practice.
4. They sustain professional interest, among social diversity and cross-disciplinary complexity. They contribute to the professional societies, their professions, and to their communities. The moral leadership in engineering is manifested in leadership within the professional societies. The professional societies provide a forum for communication, and canvassing for change within and by groups.
5. *Voluntarism*: Another important avenue for providing moral leadership within communities, by the engineers is to promote services without fee or at reduced fees (pro bono) to the needy groups. The professional societies can also promote such activities among the engineers. This type of voluntarism (or philanthropy) has been in practice in the fields of medicine, law and education. But many of the engineers are not self-employed as in the case of physicians

and lawyers. The business institutions are encouraged to contribute a percentage of their services as free or at concessional rates for charitable purposes.

6. *Community service*: This is another platform for the engineers to exhibit their moral leadership. The engineers can help in guiding, organising, and stimulating the community towards morally- and environmentally-desirable goals. The corporate organizations have come forward to adopt villages and execute many social welfare schemes, towards this objective.

The Codes of Ethics promote and sustain the ethical environment and assist in achieving the ethical goals in the following manner:

1. It creates an environment in a profession, where ethical behavior is the basic criterion.
2. It guides and reminds the person as to how to act, in any given situation.
3. It provides support to the individual, who is being pressurized or tortured by a superior or employer, to behave unethically.
4. Apart from professional societies, companies and universities have framed their own codes of ethics, based on the individual circumstances and specific mission of the organisations. These codes of conduct help in employees' awareness of ethical issues, establish, and nurture a strong corporate ethical culture.

## 5.10 CODES OF ETHICS

### 5.10.1 National Society of Professional Engineers

#### *Preamble*

Engineering is an important and learned profession. As members of this profession, engineers are expected to exhibit the higher standards of honesty and integrity. Engineering has a direct and vital impact on the quality of life for all people. Accordingly, the services provided by engineers require honesty, impartiality, fairness, and equity, and must be dedicated to the protection of then public health, safety, and welfare. Engineer must perform under a standard of professional behavior that requires adherence to the highest principles of ethical conduct.

#### **I Fundamental Canons**

Engineers in the fulfillment of their professional duties shall

1. hold paramount the safety, health, and welfare of the public.
2. perform services only in areas of their competence.
3. issue public statements only in objective and truthful manner.
4. act for each employer or client as faithful agents or trustees.
5. avoid deceptive acts.
6. conduct themselves honorably, responsibly, ethically, and lawfully so as to enhance the honor, reputation, and usefulness of the profession.

#### **II Rules of Practice**

1. Engineers shall hold paramount the safety, health, and welfare of the public.
  - (a) If engineers' judgment is overruled under circumstances that endanger life or property, they shall notify their employer or client and such other authority as may be appropriate.

- (b) Engineers shall approve only those engineering documents that are in conformity with applicable standards.
  - (c) Engineers shall not reveal facts, data, or information without prior consent of the client or employer except as authorized or required by law or this code.
  - (d) Engineers shall not permit the use of their name or associate in business ventures with any person or firm that they believe are engaged in fraudulent or dishonest enterprise.
  - (e) Engineers shall not aid or abet the unlawful practice of engineering by a person or firm.
  - (f) Engineers having knowledge of any alleged violation of this Code shall report thereon to appropriate professional bodies and when relevant, also to public authorities, and cooperate with the proper authorities in furnishing such information or assistance as may be required.
2. Engineers shall perform services only in the areas of their competence.
- (a) Engineers shall undertake assignments only when qualified by education or experience in the specific technical fields involved.
  - (b) Engineers shall not affix their signatures to any plans or documents dealing with the subject matter in which they lack competence, nor to any plan or document not prepared under their direction and control.
  - (c) Engineers may accept assignments and assume responsibility for coordination of an entire project and sign and seal the engineering documents for the entire project, provided that each technical segment is signed and sealed only by the qualified engineers who prepared the segment.
3. Engineers shall issue public statements only in an objective and truthful manner.
- (a) Engineers shall be objective and truthful in professional reports, statements, or testimony. They shall include all relevant and pertinent information in such reports, statements, or testimony, which should bear the date indicating when it was current.
  - (b) Engineers may express publicly technical opinions that are founded upon knowledge of the facts and competence in the subject matter.
  - (c) Engineers shall issue no statements, criticisms, or arguments on technical matters that are inspired or paid for by interested parties on prefaced their comments by explicitly identifying the interested parties on whose behalf they are speaking and by revealing the existence of any interest the engineers may have in the matters.
4. Engineers shall at for each employer or client as faithful agents or trustees
- (a) Engineers shall disclose all known or potential conflicts of interest that could influence or appear to influence their judgment or the quality of their services.
  - (b) Engineers shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to by all interested parties.
  - (c) Engineers shall not solicit or accept financial or other valuable consideration, directly or indirectly, from outside agents on connection with the work for which they are responsible.

- (d) Engineers in public service as members, advisers, or employees of a governmental or quasi-governmental body or department shall not participate in decisions with respect to services solicited or provided by them or their organizations in private or public engineering practice.
  - (e) Engineers shall not solicit or accept a contract from a governmental body on which a principal or officer of their organization serves as a member.
5. Engineers shall avoid deceptive acts
- (a) Engineers shall not falsify their qualifications or permit misrepresentation of their or their associate's qualifications. They shall not misrepresent or exaggerate their responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or past accomplishments.
  - (b) Engineers shall not offer, give, solicit or receive, either directly or indirectly, any contribution to influence the award of a contract by public authority, or which may be reasonably construed by the public as having the effect of intent to influence the awarding of a contract. They shall not offer any gift or other valuable consideration in order to secure work. They shall not pay a commission, percentage, or brokerage fee in order to secure work, except to a bonafide employee or established commercial or marketing agencies retained by them.

### **III Professional Obligations**

1. Engineers shall be guided in all their relation by the highest standards of honesty and integrity.
  - (a) Engineers shall acknowledge their errors and shall not distort or alter the facts.
  - (b) Engineers shall advise their clients or employers when they believe a project will not be successful.
  - (c) Engineers shall not accept outside employment to the detriment of their regular work or interest. Before accepting any outside engineering employment they will notify their employers.
  - (d) Engineers shall not attempt to attract an engineer from another employer by false or misleading pretenses.
  - (e) Engineers shall not promote their own interest at the expense of the dignity and integrity of the profession.
2. Engineers shall at all times strive to serve the public interest.
  - (a) Engineers shall seek opportunities to participate in civic affairs, career guidance for youths, and work for the advancement of the safety, health, and well-being of their community.
  - (b) Engineers shall not complete, sign, or seal plans and/or specifications that are not in conformity with applicable engineering standards. If the client or employer insists on such unprofessional conduct, they shall notify the proper authorities and withdraw from further service on the project.

- (c) Engineers shall endeavour to extend public knowledge and appreciation of engineering and its achievements.
- 3. Engineers shall avoid all conduct or practice that deceives the public.
  - (a) Engineers shall avoid the use of statements containing a material mis-representation of fact or omitting a material fact.
  - (b) Consistent with the foregoing, engineers may advertise for recruitment of personnel.
  - (c) Consistent with foregoing, engineers may prepare articles for the lay or technical press, but such articles shall not imply credit to the author for work performed by other.
- 4. Engineers shall not disclose, without consent, confidential information concerning the business affairs or technical processes of any present or former client or employer, or public body on which they serve.
  - (a) Engineers shall not, without the consent of all interested parties, promote or arrange for new employment or practice in connection with a specific project for which the engineer has gained particular and specialized knowledge.
  - (b) Engineers shall not, without the consent of all interested parties, participate in or represent in adversary interest in connection with a specific project or proceeding in which the engineer has gained particular specialized knowledge on behalf of a former client or employer.
- 5. Engineers shall not be influenced in their professional duties by conflicting interests.
  - (a) Engineers shall not accept financial or other consideration including free engineering designs, from material or equipment suppliers for specifying their product.
  - (b) Engineers shall not accept commission or allowances, directly or indirectly, from contractors or other parties dealing with clients or employers of the engineer in connection with work for which the engineer is responsible.
- 6. Engineers shall not attempt to obtain employment or advancement or professional engagements by untruthfully criticizing other engineers, or by other improper methods.
  - (a) Engineers shall not request, propose, or accept a commission on a contingent basis under circumstances in which their judgement may be compromised.
  - (b) Engineers in salaried positions shall accept part-time engineering work only to the extent consistent with policies of the employer and in accordance with ethical consideration.
  - (c) Engineers shall not, without consent, use equipment, supplies, laboratory, or office facilities of an employer to carry on outside private practice.
- 7. Engineers shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of other engineers. Engineers who believe others are guilty of unethical or illegal practice shall resent such information to the proper authority for action.
  - (a) Engineers in private practice shall not review the work of another engineer for the same client, except with the knowledge of such engineer, or unless the connection of such engineer with the work has been terminated.

- (b) Engineers in governmental, industrial, or educational employment are entitled to review and evaluate the work of other engineers when so required by their employment duties.
  - (c) Engineers in sales or industrial employ are entitled to make engineering comparisons or represented products with products of other suppliers.
8. Engineers shall accept personal responsibility for their professional activities, provided, however, the engineers may seek indemnification for services arising out of their practice for other than gross negligence, where the engineer's interests can not otherwise be protected.
- (a) Engineers shall conform to state registration laws in the practice of engineering.
  - (b) Engineers shall not use association with a non-engineer, a corporation, or partnership as a 'cloak' for unethical acts.
9. Engineers shall give credit for engineering work to those to whom credit is due, and will recognize the proprietary interests of others.
- (a) Engineers shall, whenever possible, name the person or persons who may be individually responsible for designs, inventions, writings, or other accomplishments.
  - (b) Engineers using designs supplied by a client recognize that the designs remain the property of the client and may not be duplicated by the engineer for others, without the express permission.
  - (c) Engineers before undertaking work for others in connection with which the engineer may make improvements, plans, designs, inventions, or other records that may justify copyrights or patents, should enter into a positive agreement regarding ownership.
  - (d) Engineers' designs, data, records, and notes referring exclusively to an employer's work are the employer's property. The employer should indemnify the engineer for use of the information for any purpose other than the original purpose.
  - (e) Engineers shall continue their professional development throughout their careers and should keep current in their specialty fields by engaging in professional practice, participating in continuing education course, reading in the technical literature, and attending professional meetings and seminars.

### 5.10.2 The Institute of Electrical & Electronics Engineers

#### ***Code of Ethics***

We the members of the IEEE, in recognition of the importance of our technologies in affecting the quality of life throughout the world, and in accepting a personal obligation to our profession, its members and the communities we serve, do hereby commit ourselves to the highest ethical and professional conduct and agree:

1. to accept responsibility in making engineering decisions consistent with the safety, health and welfare of the public, and to disclose prompt factors that might endanger the public or the environment.
2. to avoid real or perceived conflicts of interest whenever possible, and to disclose them to affected parties when they do exist.

3. to be honest and realistic in stating claims or estimates based on available data.
4. to reject bribery in all its forms.
5. to improve the understanding of technology, its appropriate application, and potential consequences.
6. to maintain and improve our technical competence and to undertake technological tasks for others only if qualified by training or experience, or after full disclosure of pertinent limitations.
7. to seek, accept, and offer honest criticism of technical work, to acknowledge and correct errors, and to credit properly the contributions of others.
8. to treat fairly all persons regardless of such factors as race, religion, gender, disability, age, or national origin.
9. to avoid injuring others, their property, reputation, or employment by false or malicious action.
10. to assist colleagues and co-workers in their professional development and to support them in following code of ethics.

### 5.10.3 Institution of Engineers (India)

#### *Code of Ethics (Effective from March 2004)*

##### **Introduction**

Engineers serve all members of the community in enhancing their welfare, health, and safety by a creative process utilizing the engineers' knowledge, expertise and experience.

The code of ethics is based on broad principles of truth, honesty, justice, trustworthiness, respect and safeguard of human life and welfare, competence and accountability, which constitutes the moral values every corporate member of the institution must recognize, uphold and abide by.

##### **1.0 Preamble**

The corporate members of the IEI are committed to promote and practice the profession of engineering for the common good of the community bearing in mind the following concerns:

1. The ethical standard
2. Social justice, social order, and human rights
3. Protection of the environment
4. Sustainable development
5. Public safety and tranquility

##### **2.0 The Tenets of the Code of Ethics**

A corporate member

1. shall utilize his/her knowledge and expertise for the welfare, health, and safety of the community without any discrimination for sectional or private interests.
2. shall maintain the honour, integrity and dignity in all his professional actions to be worthy of the trust of the community and the profession.

3. shall act only in the domains of his competence and with diligence, care, sincerity and honesty.
4. shall apply his knowledge and expertise in the interest of his employer or the clients for whom he shall work without compromising with other obligations to these tenets.
5. shall not falsify or misrepresent his own or his associates qualification, experience etc.
6. wherever necessary and relevant, shall take all reasonable steps to inform, himself, his employer or clients, of the environmental, economic, social and other possible consequences, which may arise out of his actions.
7. shall maintain utmost honesty and fairness in making a statement or giving witness and shall do so on the basis of adequate knowledge.
8. shall not directly or indirectly injure the professional reputation of another member.
9. shall reject any kind of offer that may involve unfair practice or may cause avoidable damage to the eco-system.
10. shall be concerned about and shall act in the best of his abilities for maintenance of sustainability of the process of development.
11. shall not act in any manner which may injure the reputation of the institution or which may cause any damage to the institution financially or otherwise.

### **3.0 General Guidance**

The tenets of the code of ethics are based on the recognition that-

1. A common tie exists among the humanity and that the Institution of Engineers (India) derives its value from the people, so that the actions of its corporate members should indicate the member's highest regard for equality of opportunity, social justice and fairness
2. The corporate members of the institution hold a privileged position in the community so as to make it a necessity for their not using the position for personal and sectional interests.

### **4.0 And as Such, a Corporate Member**

1. Should keep his employer or client fully informed on all matters in respect of his assignment which are likely to lead to a conflict of interest or when, in his judgment, a project will not be viable on the basis of commercial, technical, environment or any other risks.
2. Should maintain confidentiality of any information with utmost sincerity unless expressly permitted to disclose such information or unless such permission, if withheld, any adversely affects the welfare, health and safety of the community.
3. Should neither solicit nor accept financial or other considerations from anyone related to a project or assignment of which he is in the charge.
4. Should neither pay nor offer direct or indirect inducements to secure work.
5. Should compete on the basis of merit alone.
6. Should refrain from inducing a client to breach a contract entered into with another duly-appointed engineer.

7. Should, if asked by the employer or a client, to review the work of another person or organization, discuss the review with the other person or organization to arrive at a balanced opinion.
8. Should make statements or give evidence before a tribunal or a court of law in an objective and accurate manner and express any opinion on the basis of adequate knowledge and competence.
9. Should reveal the existence of any interest-pecuniary or otherwise—which may affect the judgment while giving an evidence or making a statement.

#### **5.10.4 Indian Institute of Material Management**

##### ***Code of Ethics*<sup>15</sup>**

1. To consider first the total interest of one's organization in all transactions without impairing the dignity and responsibility to one's office.
2. To buy without prejudice seeking to obtain the maximum ultimate value for each rupee of expenditure.
3. To subscribe and work for honesty and truth in buying and selling.
4. To denounce all forms and manifestations of commercial bribery and to eschew anti-social practices.
5. To respect one's obligations and those of one's organization consistent with good business practice.

#### **5.10.5 Institution of Electronics and Telecommunication Engineers<sup>16</sup>**

##### ***Preamble***

1. To uphold the concept of professional conduct amongst its corporate members, the Council of the Institution felt the need to evolve a Code of Ethics for corporate members.
2. A corporate member should develop *spirit-de-corps* among the fraternity and uphold the principles of honesty, integrity, justice, and courtesy to guide him in the practice of his responsibilities and duties to the public and the profession.
3. He should scrupulously guard his professional and personal reputation and avoid association with persons and organizations of questionable character and uphold the dignity and honour of the institution.

##### ***The Codes***

1. A corporate member will, at all times, endeavour to protect the engineering profession from misrepresentation and misunderstanding.
2. A corporate member will interact with others in his profession by free exchange of information and experience. He will contribute to the growth of the institution to maximum effectiveness to the best of his ability.
3. A corporate member will not offer his professional services by advertisement or through any commercial advertising media, or solicit engineering work, trading, teaching either directly or indirectly or through agencies/organizations in any manner derogatory to the dignity of the profession and the institution.

4. A corporate member will not directly or indirectly injure the professional reputation, work, or practice of another corporate member.
5. A corporate member will not divulge confidential findings or actions of the council or committee of which he is a member, without obtaining official clearance.
6. A corporate member will not take credit for an activity, professional work, engineering proposal when engaged in a team and give due recognition to those where due.
7. A corporate member will express an opinion only when it is founded on facts and honest conviction before a forum, court, commission or at an inquiry.
8. A corporate member will exercise due restraint in criticizing the work or professional conduct of another corporate member which would impinge or hurt his character and reputation.
9. A corporate member will not try to supplant another corporate member in a particular employment, office or contract.
10. A corporate member will be upright in all his dealings with person(s), organizations, in business, contractors, agencies. He should not take actions that lead to groupism, political connotation or unethical conduct in the discharge of his official powers.
11. A corporate member will not misrepresent his qualification to gain undue advantage in his profession.
12. A corporate member will act with fairness and justice in any office, employment or contract.
13. A corporate member will not associate in engineering work which does not conform to ethical practices.
14. A corporate member will not compete unfairly with another corporate member by means, which in the opinion of others, are based on garnering support for personal gain, enlisting uncalled for sympathy, espousing unjust cases or amounts to use of unconstitutional methods.
15. A corporate member will act in professional matters as a faithful agent or trustee.
16. A corporate member will not receive remuneration, commission, discount or any indirect profit from any work with which he is entrusted, unless specifically so permitted.
17. A corporate member will not accept financial or other compensation from more than one source for the same service or work connected thereto, unless so authorized.
18. A corporate member will immediately inform his organisation/institution of any financial interest in a business, and engineering work which may compete with, adversely affect or hamper the growth of parent body.
19. A corporate member will engage or enlist the services of specialist/experts when in his judgement, such services are in the best interest of his employer or to the profession.
20. A corporate member will endeavour to develop a team among his colleagues and staff and provide equal opportunity to them for professional development and advancement.
21. A corporate member will subscribe to the principle of appropriate norms, appreciation and adequate compensation for those engaged in office, technical and professional employment including those in subordinate positions.
22. A corporate member, if he considers that another corporate member is guilty of unethical, illegal, unfair practice, defalcation, will not present such information to the Council of the Institution for necessary action, unless armed with substantial proof.

### 5.11 ENGINEERING COUNCIL OF INDIA<sup>17</sup>

Engineering Council of India was formed in 2002 with one of its objectives as “to establish a common code of ethics for professional and consulting engineers for adoption by Associations/Professional Societies and to evolve the strategy for its enforcement.” The IEI, IETE, and Consulting Engineers Association of India (CEAI), AICTE, and NBA are the members of this council. The Engineers Bill, drafted in 2004, and aimed to introduce the common codes of ethics, is yet to enter the statute books.

### 5.12 CODES OF ETHICS FOR TATA GROUP<sup>18</sup>

Several Indian companies have risen to the challenge and have established a reputation for fair play and ethics. Among leaders of IT companies, there are models of good governance.

The 15 million \$ Tata Group upholds the *leadership with trust* as its key asset and holds up the Tata codes of Conduct to its 2.2 million plus employees. Founded on the five *core values*, namely Integrity, Understanding, Excellence, Unity, and Responsibility, the code is enunciated in 24 canons embracing ethical conduct, conflict of interest, corporate governance, whistle blowing, and national interest, health, safety, and welfare of the public including environmental concern.

An elaborate mechanism to monitor the management of business in each of the 91 member companies is provided. All the IT professionals in the group numbering 50 000 plus worldwide, sign allegiance to the code and in particular to mandates on equal opportunity, prevention of gender inequality, concurrent employment, quality of services, and integrity of data furnished.

### 5.13 ETHICS AND CODES OF BUSINESS CONDUCT IN MNC<sup>19</sup>

Sarbans-Oxley Act, 2002 (U.S.A.) and New York Stock Exchange listing standards have made many corporate organizations ethics conscious. The organizations are to disclose codes of business conduct and ethics for the organizations.

For example, Texas Instruments a major MNC, has declared that “Ethical reputation is our vital asset. Upon applying values each of the employee can say, TI is a good company, and one reason is that I am part of it”.

Three major values such as Integrity, Innovation and Commitment, have been elaborated in the form of 28 ethics statements (as pledges to keep) and 17 codes of business conduct have been presented in their documents.

A quick ethics test suggested by TI for all of its employees, without exception, will sufficiently explain their commitment:

1. Is the action LEGAL?
2. Does it comply with our VALUES?
3. If you do it, will you feel BAD?
4. How will it look in the NEWSPAPER?
5. If you know it is WRONG, don't do it.
6. If you are not sure, ASK
7. Keep asking until you get an answer.