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TOPIC 1 - ETHICS, MORALITY & THE LEGAL PROFESSION

Ethics & Morality

In the case of a lawyer, it is through a lawyer’s membership of the legal profession that dictates one’s ethics. Morals are more usually associated with a person’s own principles that dictate what is right and wrong conduct. Ethics relates to a set of principles, rules or standards that govern the conduct of a person or the members of a profession or organisation. Ethics derives from the Greek ethos.

Ethics may be regarded as knowing what is right, doing what is right, and feeling what is right. Ethics concerns explicit codes of conduct as well as value systems. Ethics is a highly explicit codified form of behaviour designed or produce particular ends and act in accordance with particular values.

Profession ethics is the values and rules of conduct of an occupational group. In the context of the legal profession, if a lawyer does not follow the ethical rules required by the legal profession then a range of consequences may come into play. Morals on the other hand, are based on a persons ideals and principles that guide their personal conduct in respect of what is right and wrong. Rather than morals being connected with what the profession sees as correct conduct, they are based on one’s own personal beliefs.

A lawyer during his or her career may be faced with a situation where the ethics that govern the profession conflict with the lawyer’s personal morals. One of the most difficult lessons for lawyers to learn is how to manage the conflict between their own morals and the ethical obligations placed on them.

Values: Principles or qualities which we consider worthy or desirable.
Beliefs: Acceptance of an idea or statement of fact as being true.
Conventions: Unwritten rules and practices governing the behaviour of a social or professional group.

Key Sources of ethical obligations