



School of Governance
and Society

Roundtable discussion on “Effective Ethics Standards in Government and the Civil Service”

14th September 2022





Introduction

A roundtable discussion was held at School of Governance and Society, University of Management & Technology on the topic of “Effective Ethics Standards in Government and the Civil Service”, on 14th September, 2022. The session was moderated by Prof. Naveed Elahi. The keynote speakers were Justice (R) Sh. Ahmad Farooq (Chairman Pakistan Red Crescent society), Maulana Raghیب Naeemi (Director Jamia Naeemia & member of Islamic ideological Council), Ms. Arifa Saboohi (Former DG CSA), Prof. Rahat ul Ain (Professor of Practice, SGS), Mr. Khurram Aslam Khan (Former Joint DG intelligence Bureau) and, Mr. Azhar Rashid Khan, PSP (DG National Academy for Prisons Administration). The session was also attended by Director SGS – Dr. Aisha Azhar, Liaison Officer SGS - Amna Siddique and BS public administration students. Prof. Naveed Elahi introduced the topic to the panelists and drew attention to a relevant extract of a report, “Corruption will occur more where the bureaucracy is less professional, where the legal system is less defined, where the internal and external controls on the bureaucracy are faltering, where a political regime is more authoritarian resulting in less freedom of the press, weaker opposition parties, a weaker civil society, and fewer mechanisms of social control and participation”. He highlighted the following points for discussion:

Five points for discussion in this session:

- i. ***Is this perception correct that standards in public life are in decline in Pakistan?*** This raises questions about the costs of misconduct on the part of those who have been entrusted with guarding public interest and resources.
- ii. ***What can be the Code of Ethics for civil servants and public officials?*** For example, Serving the Public Interest, Transparency, Integrity, Legitimacy, Fairness, Responsiveness, Efficiency and Effectiveness. Islamic or Muslim moral virtues such as 'Selflessness' and 'Self-discipline', and 'courage' can be invoked.
- iii. ***Can enactment of law against 'Maladministration' ensure ethics in public service?*** 'Maladministration is like making of an official decision in a manner which is

contrary to law, arbitrary, unreasonable, without proper justification, lacking in procedural fairness, or made without due consideration of the merits of the matter, or made corruptly.

- iv. ***Can the Right to obtain reasons for official decisions be a major contribution to the integrity and probity of official decision making, good governance, and the prevention and detection of corruption?*** Right to information; whistle-blowers; media.
- v. ***Can involvement of civil society ensure greater and better efficacy of the public sector?*** We must move from a concept of civil society completely divorced from the state to a new notion of civil society, engaged in the formulation of public policies. It will then regulate the ethical standards of the public service.

Discussion

Ms. Arifa Saboohi (Former D.G. CSA)



She was of the view that Pakistan has abundant laws but implementation is lackadaisical which results in slackness in ‘ethical conduct’ of government and civil service. Insipid and irregular implementation of rules and laws defeat their actual purpose. There are instances galore when the civil servants violate laws and care a fig about ethics in their daily conduct. A system ought to be introduced to question and reprimand them for

unethical behaviour. There is a dire need that the laws should be politically instilled and executed in a way to deliver the right signals to all the civil servants, government officials, and to the society at large. Furthermore, the basic premise of ethical conduct for society and civil services is “*securus*” (negligent). If we examine the standards of ethical conduct on international premises, there exist regulations in every function for instance transparency, responsiveness to the general public, proficiency and effectiveness etc.

From her standpoint, our unwillingness to implement these laws creates a mess. Moreover, the execution of laws should commence from the top leadership. If the leadership is not corrupt, it will ultimately trickle down towards the general public. She elaborated a point referencing from one of the philosophical expressions of ethical conduct by “*Iman-ul-Arqaan*” that there are certain imperative laws which have to be adhered to by every individual irrespective of their personal posture.

Justice (R) Sh. Ahmad Farooq (Chairman Pakistan Red Crescent, Punjab)



He expounded that the concept of good governance which is being called ‘ethical standards’ in modern language was first introduced by the World Bank and eventually by distinct peer agencies. It is relatively a new concept because of its emulating nature derived via western world and have distinctive parameters based on the agenda they



intend to move on. Furthermore, its ultimate characteristics might differ from one institution to the others depending upon its prime principles such as how authorities are exercised, the management of the country's affairs, the relationship amongst the rulers and the rule, how conflicts are resolved, how interests are articulated and rightly exercised.

The common elements of good governance can be attributed towards reforms of four different dimensions such as constitutional, political, administrative and public policy. Despite contrasting terms and concepts, most of the terms refer to the akin philosophy and principles to achieve the same goals. According to the World Bank document presented in 1992, good governance is entitled with effective public sector management, accountability, legal framework for relevant information and transparency. Likewise, the degree of similarity can also be found in European Union's 'white paper' on good governance which recommended five major features such as openness, participation, accountability, effectiveness and coherence.

The major question is why we are abiding by the western parliamentary form of government which is not appropriate to the ground realities of our country. We as a nation are following multiple trends spawned by the western world. In Pakistan, the main reason of the diminished ethical standards lies on ineffective, incompetent and corrupt parliamentarians. He alluded that our current laws and articles of constitution are contradictory. Most of our laws are redundant, rigid and obsolete and they do require necessary amendments. The aspect of implementation is another domain, for the problem lies in the vagueness of our laws. He encapsulated that the bureaucrats should be bound to perform their functions in accordance with the laws. Rule of law is the main pillar and its esteem should not be confined merely to courts level but should descend to the societal level.



Mr. Khurram Aslam Khan (Former Joint DG Intelligence Bureau)



He stated that prime aim of the concept of government ethics is to ensure good governance. Government ethics applies to processes, behaviour and policy. Governments act for common good and should avoid any semblance of ‘conflict of interest’. There is political ethics in democracy that apart from focus on public officials and methods they use for strategy formulation also includes electoral process. There are two categories of public office holders; political and civil servants. Political office holders are regulated by oath of office. Certain other appointed constitutional office holders are also governed and regulated by their oath. It is unfortunate that there is no specific code of conduct for political and constitutional office holders except for the judges of the superior judiciary. Conversely, government employees’ behaviour is regulated by plethora of laws including the Conduct Rules but they are mostly about don’ts. There are few guidelines for them on ethical behaviour in implementing policies and interacting with public. He also delineated some international standards of ethics such as constitutional reforms, democratic participation, ethical organizations, demonstration of ethical practices, implementation on ethical code of conduct and maintaining high standards. He emphasized on improving the ethical behavior of the civil servants by bestowing them proper ethical training at different levels, and subsequently the accountability must be carried out accurately.

Prof Rahat-ul-Ain (Professor of Practice, SGS)



In his opinion, there exist two different perspectives regarding the subject of ethics i.e., *academic and practical*. From academic aspect, the subject of ethics comes under the umbrella of philosophy, social psychology, and culture. He added referential phrase of Scottish philosopher David Hume that “we are constantly making moral decisions in new situations and we do perform this action repetitively”. He elaborated that every innate property is affected by external events and it starts instilling from the childhood that shapes ‘what we do or what we become’.

Furthermore, considering the comparative and cross-cultural studies he depicted the difference between what is ‘innate’ and ‘what are the true principles of ethics’. This question was raised by a German philosopher who pointed out that this is quite similar to the problem that arises in epistemology in which we use things like intuition and instinctive knowledge, to find inductive principles without defining principles. The reason is that we sometimes go for a range of evidence, background knowledge, and ideas but then it raises some questions. Hence, maybe these are the wrong means that all the writers and philosophers have been talking about. He believed that this is the point where we are stuck.

In public sector of Pakistan, ethics have always remained a controversial subject. However, the rules seem to be ground recently because the government knows that public servants use discretions all the time. Despite the fact that they have to follow

certain rules, they make decisions of their choices which affects the public profoundly. Hence, it would be conducive to introduce some kind of regulations which propel the civil servants to work ethically. Some of the laws have become obsolete and they need to be revised immediately. Although several codes of ethics and laws do exist in Pakistan, it is very hard to stand against the innate nature.

Mr. Azhar Rashid Khan (DG National Academy for Prisoners' Administration)



He informed that the Civil Services Act includes the rules for promotion, posting, transferring, and code of conduct of the civil servants. Ethics in the substantive term is the code of conduct which means “what is truly required for a civil servant to act”. Nevertheless, Pakistan does face criticism for poor execution of rule of law. There is no paucity of laws but the problem arises due to the law enforcement bodies who are unwilling to conform them properly. We are obstructed between the procedures of prosecution and investigation.

Bureaucracy is an indirect agent for the distribution and re-distribution of material and social goods for public safety. Whilst implementing the laws, we completely forget that it's a multi-national and multi-religion state. Our laws are stringent and they have no linkage with moral ethics. It must be inculcated that our ethical system should be derived from legitimate sources. It is stated in constitution as a 'preamble' that all laws

must be gleaned from the religious injunctions. Parliament enacts law in a satisfactory way, and it is always the implementational aspect that goes either right or wrong. There is a need to eliminate the habit of “let it be” for every matter. He mentioned that we have failed to introduce the mechanism of “have-nots as have” within our system. It can also assist in providing a pathway of justice to those segments of society who have remained deprived of the benefits and privileges granted by the state.

Maulana Raghbir Naeemi (Director Jamia Naeemia)



He highlighted the strategies of Prophet Muhammad (PBUH) and Caliph Umar Farooq (R.A). He shed light on the intriguing event from the Islamic history when Yemen was conquered. Muadh ibn Jabal, a young energetic companion of the Prophet (PBUH), was appointed as its Governor. He made an exceptional strategy regarding the collection and maintenance of resources, and sent all the excessive ‘zakat’ to the collection center of the federal government. Caliph Umar (R.A) showed the path of ethical behaviour by abiding by the laws and imposing morals on himself before asking others to follow. During period of famine, he pledged that he would neither use oil nor eat sugar, to show the path for austerity and patience at the critical juncture. Such precedence of ethical behaviour by the pious Caliphs are guidelines for us all. Quoting examples from the



Islamic history elaborated that if any ambiguity arises, the civil servants should strive to adopt the new initiative by utilizing their wisdom, knowledge and capability. He concluded the discourse by saying that a person who is leading must adhere to the laws more than the rest of his subordinates.

Conclusion: Dr.Aisha Azhar, Director, SGS, while talking at the end, reiterated the need for stronger ethical standards in government and civil service.

Prof. Naveed Elahi concluded the session by thanking the panelists for their time and cogent input that would propel the discussion on this topic further, leading to greater awareness among the concerned quarters to implement it in letter and spirit. He hoped that due to such discussions ethics and anticorruption issues might continue to figure on the public agenda. The pertinent question is 'how to do it?'. The following recommendations garnered from the above discussion can show some way forward to address this issue.

Recommendations:

1. In order to inculcate ethical behaviour from early age, it is absolutely essential to introduce basic notions of ethics and citizenship in the academic curriculum at all levels of education.
2. There is a need to devise and define a methodology for the implementation of statutory provisions already in force. But at the same time the punitive character of the Code of Ethics should be reduced; emphasis should be on education instead of over reliance on punishment.
3. Top-down approach, the execution of laws commencing from the top leadership, can have positive trickle-down effect, compelling the civil servants to adopt the standards of ethical conduct like transparency, responsiveness to the general public, proficiency and effectiveness etc.
4. Civil servants must be imparted proper ethical training at different levels and ethics should be introduced in the curriculum of all courses directed to public servants. Subsequently strict accountability must be carried out.
5. The laws that have become obsolete, incoherent and contradictory must be revised and some sort of regulations ought to be introduced to propel and compel public



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servants to work ethically. Moreover, the legal framework dealing with ethics in the public service must be simplified and modernized.

6. There should be stricter regulation of gifts and courtesies in a general manner, applicable to the whole public sector.
7. It is absolutely essential to introduce educational programmes with the purpose of stimulating a debate about ethics, promoting social cohesion, and citizenship values.
8. The Code of Ethics should be decentralized, for implementation purposes, towards each specific area of the public service. Decentralized debates should be promoted through meetings, seminars, workshops, etc.
9. There is a need to strengthen decentralized institutional mechanisms of complaint and control, such as the ombudsmen.
10. Media and whistle blowers must play an active but responsible role. Positive facts and information relevant to society must be published to create awareness in the society.



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