RESEARCH ARTICLE

Khyber Pakhtunkhwa Judicial Academy

TOPIC:

JUDICIAL ETHICS AND INTEGRITY;

AVOIDING CONFLICT OF INTEREST

SUBMITTED IN PARTIAL REQUIREMENT OF PRE-PROMOTION GRADED TRAINING (PPGT) PROGRAME AT KHYBER PAKHTUNKHWA JUDICIAL ACADEMY, PESHAWAR.

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Title:

JUDICIAL ETHICS AND INTEGRITY: AVOIDING CONFLICT OF INTEREST

Abstract:

Administration of justice is a key component of any civilized state. Rights and liabilities of individuals are always defined under a particular set of legal system, whereas for having its safeguard as well as enforceability, there is always a need of an effective mechanism. The judiciary being a pillar of state, performs the functions of administration of justice. So within the framework of legal Judicial system, the role and conduct of administrators i.e. the judges become vital and because of that, judicial ethics has been given emphasis. Judicial ethics and integrity denotes the moral and behavioral traits, to be upright, which signifies the institutional foundation. This research article underscores an understanding of the concept of judicial ethics, integrity and avoiding conflict of interest with particular focus on to review Islamic perspective of judicial ethics and integrity, conflict of interest along with Pakistani legal framework, elucidation with precedents on the topic. The article would also highlight a comparative study and analysis of Judicial ethics and its parameters as adopted by other states in their legal systems like United States, United Kingdom along with other internationally recognized canons of judicial conduct like 'Bangalore' and 'Singapore' Principles etc. This research further opines the importance of the set standards or core values of judicial ethics, conduct & integrity and need for their applicability and adherence in the modern legal systems. Finally, some suggestions and recommendations are also listed for improvement.

Keywords; Ethics, Integrity, Interest, Code of Conduct, Judicial Principles.

2. Introduction and Objective:

This article intends to establish a coherent jurisprudential discussion regarding Judicial ethics and integrity; avoiding conflict of interest in judicial parlance. The universe holds absolute perfection and equilibrium in each and every sphere and amongst the creatures, human beings are bestowed with the honor as the best creation. Only human beings are held accountable for their deeds, hence, a fair and judicious behavior is recommended and recognized as core component in public dealings. Particularly in the sphere of administration of justice, demonstration of high judicial conduct is mandatory, over and above of any doubt or external condemnation. Judicial ethics regulates the norms and standards of functioning of judicial functionaries especially the conduct of judges. So, it is imperative to have a judicial code of conduct and ethical standard to be followed by the judges.

Imparting justice with equity is ordained in the Holy Quran even if it is against oneself or against nears and dears. Likewise, the Sunnah also stresses upon to be judicious in decisions, fair and honest in public dealings and specially in deciding the matter judicially between two parties. Because the post of a Judge or Qazi is sacred and prestigious one, which carries high ethical and moral criterions, to be abide by the holder while deciding the matters judicially, these include to be competent, honest, impartial, fair, and without having any biases and conflict of interest.

Contemporary approach towards judicial ethics, integrity and avoiding conflict of interest, as adopted by modern legal systems also demonstrate the principles based on fairness, impartiality, equality and recusal etc.

Objectives;

- To understand and analyze the concept of judicial ethics, integrity and conflict of interest
- To explore the existing Pakistani legal framework, precedents on judicial ethics with focus on code of conduct.
- To evaluate international standards and principles of regulating Judicial Ethics & behavior.
- To propose practical recommendations to strengthen and enhance public confidence on the justice system.

3. Discussion and analysis:

The word ethics is derived from the Greek word *ethos*, which means "*Character"* and from the Latin word *mores*, which means "*customs*". Aristotle, firstly given importance to ethical behavior and knowledge of actions beneficial for an individual or a group of people. To determine what is ethically good for the individual and for society, Aristotle said, it is necessary to possess three virtues of practical wisdom: (1) temperance, (2) courage, and (3) justice.[1]

According to Aristotle, the need to control, regulate, and legislate ethical conduct at the individual, corporate, and government levels has ancient roots. For example, one of the earliest law codes developed, the *Code of Hammurabi***,** made *Bribery* a crime in Babylon.

Judicial ethics is an impression defies definition, wherever there is a reference to judicial ethics, mostly it is not defined but attempted to conceptualized. According to Justice Thomas of the Supreme Court of Queensland, there are two key issues that must be addressed:

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[1] ***legal ethics and the profession of law by YASHOMATI GHOSH***

Judicial Ethics by Justice (R) Shabbir Ahmed

First the identification of standard to which members of the judiciary must be held and secondly a mechanism formal or informal to ensure that these standards are adhered to.

The reference to various dictionaries, would enable farming of a definition, simply it can be said that judicial ethics are the basic principle of right action of the judges. It consists of, or relate to moral action, conduct, motive and character of judges.[2]

3.1 Judicial Ethics;

"Ethics is a system of moral tenets or principles; the collective doctrine relating to the ideals of human conduct and character". *(Black's law Dictionary)*

"Moral principles that control or influence a person's behavior; the branch of philosophy that deals with moral principles". (*Oxford Dictionary*)

In simple understanding, ethics is a system of laws and rules, usually when followed, there are rewards and when violated attracts punishments. In judicial context ethics would mean the moral values or conduct of a judge in course of administration of justice. The prescribed parameters and guiding rules regulating the overall official duties vis-a-vis conduct of a judge in personal life, is termed as judicial ethics.

3.2 Integrity;

"The quality of being honest and having strong moral principles; the state of being whole and not divided". (*Oxford Dictionary*)

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2 Judicial Ethics by Justice (R) Shabbir Ahmed

"from Latin word *integretas*, means "unimpaired condition, wholeness, purity; Moral soundness; the quality, state, or condition of being honest and upright". (*Black's law Dictionary*)

According to definition, Integrity conveys a sense of wholeness and strength. So acting with integrity means doing what is right - even when no one is watching. Judicial integrity denotes the morality, honesty, and ethical uniformity of judges in both their professional and personal conduct.

3.3 Conflict of Interest;

"A real or seeming incompatibility between two interests that one possesses or is obligated to serve, esp. when one of those interests might benefit the person to whom both are entrusted". (*Black's law Dictionary*)

"A situation in which sb has two jobs, aims, roles, etc. and cannot treat both of them equally and fairly at the same time". (*Oxford Dictionary*)

In judicial context, it is the state when personal interest of a judge come across to his official duties and this factor compromise or tempt to compromise the ability of his fair decision making would connotes as conflict of interest. This conflict may be in terms of considering factors like, financial interest, family relationship, political association, social intimacy or relationships with parties or Lawyers. The ethical standards in many jurisdictions, recommends 'recusal' or stepping back from a position or decision where any conflict of interest arises.

4. Literature Review:

4.1 Islamic perspective.

The primary sources of Islamic law give explicit guidelines and explain the importance of dispensation of justice in a society. Allah Almighty commands dispensation of justice with excellence and fairness. There are practical examples from the life of the Holy Prophet ﷺ as well as the companions, which established the judicial decisions with fairness and justice. The following excerpts reflects significance of justice and judicial ethics.

- **Qur'anic commands;**

إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ

"Indeed, Allah commands justice and excellence." [3]

Another verse states:

كُونُوا قَوَّامِينَ بِالْقِسْطِ شُهَدَاءَ لِلَّهِ وَلَوْ عَلَىٰ أَنْفُسِكُمْ

"Stand firmly for justice as witnesses for Allah, even if it is against yourselves."[4]

وَلَا يَجْرِمَنَّكُمْ شَنَآنُ قَوْمٍ عَلَىٰ أَلَّا تَعْدِلُوا

"And do not let the hatred of a people prevent you from being just.[5]

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا

"Indeed, Allah commands you to render trusts to whom they are due.[6]

- **Sayings of the Holy Prophet ﷺ; (Sunnah)**

The Holy Prophet ﷺ stated the following hadith;

القُضَاةُ ثَلَاثَةٌ: اثْنَانِ فِي النَّارِ وَوَاحِدٌ فِي الْجَنَّةِ

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[3] *Surah Anahal 16:90*
[4] *Surah An-Nisa 4:135*
[5] *Surah Al-Ma'idah 5:8*
[6] *Surah An-Nisa 4:58*

"Judges are of three types: two will be in the Fire and one will be in Paradise."[7]

The Holy Prophet ﷺ instructed that;

إذا جلس بين يديك الخصمان فلا تقضِ للأول حتى تسمع كلام الآخر

"When two disputants sit before you, do not decide in favor of the first until you have heard the statement of the other."[8]

- **Established Fiqh;**

يَحْرُمُ عَلَى الْقَاضِي أَنْ يَخْلُوَ بِأَحَدِ الْخَصْمَيْنِ دُونَ الْآخَرِ؛ لِأَنَّ ذَلِكَ يُورِثُ الرِّيبَةَ وَالتُّهْمَةَ

"It is prohibited for a judge to meet privately with one of the litigants without the other, because this gives rise to suspicion and accusation."[9]

وَيَجِبُ عَلَى الْقَاضِي التَّسْوِيَةُ بَيْنَ الْخَصْمَيْنِ فِي الْمَجْلِسِ وَاللَّفْظِ وَالنَّظَرِ، فَلَا يَخُصُّ أَحَدَهُمَا بِإِكْرَامٍ دُونَ الْآخَرِ

"A judge must treat the two litigants equally in seating, speech, and attention, and should not single out one of them for special honor over the other." [10]

كُلُّ مَوْضِعٍ عَادَ نَفْعُ الحُكْمِ فِيهِ إِلَى القَاضِي، اِمْتَنَعَ قَضَاؤُهُ فِيهِ.
"In every situation where the benefit of the judgment returns to the judge, he must abstain from judging."

وَإِذَا ثَبَتَتْ عَدَالَتُهُ وَصَحَّتْ وِلَايَتُهُ، لَزِمَهُ أَنْ يَحْكُمَ بِالْحَقِّ، وَيَعْدِلَ بَيْنَ الْخُصُومِ، وَلَا يَمِيلَ مَعَ هَوًى، وَلَا قَرَابَةٍ، وَلَا عَدَاوَةٍ.

"When his integrity is established and his authority (appointment) is valid, it becomes obligatory for him to judge according to the truth, to act justly between the litigants, and not to incline due to personal desire, kinship, or enmity**."**[11]

Letter of Hazrat Umar- ibn- al-Khaṭṭab (رضي الله عنه) to Hazrat Abu Musa al-Ashari (رضي الله عنه)

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[7] ***Sunan- Abu- Dawood: 3573)***
[8] ***Sunan- Abu- Dawood ; 3582 Sunan-e-Termazi 1331***
[9] ***Adab al-Qadi by Abu Bakr al-Khassaf, Adab al Aadi by Mahmood Ahmad Ghazi***

[10]. [11] ***Adab- al-Qadi by Abu Bakr al-Khassaf and, Adab al Aadi by Mahmood Ahmad Ghazi***

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
أَمَّا بَعْدُ، فَإِنَّ الْقَضَاءَ فَرِيضَةٌ مُحْكَمَةٌ وَسُنَّةٌ مُتَّبَعَةٌ، فَافْهَمْ إِذَا أُدْلِيَ إِلَيْكَ، فَإِنَّهُ لَا يَنْفَعُ تَكَلُّمٌ بِحَقٍّ لَا نَفَاذَ لَهُ.
آسِ بَيْنَ النَّاسِ فِي وَجْهِكَ وَمَجْلِسِكَ وَقَضَائِكَ، حَتَّى لَا يَطْمَعَ شَرِيفٌ فِي حَيْفِكَ، وَلَا يَيْأَسَ ضَعِيفٌ مِنْ عَدْلِكَ.
الْبَيِّنَةُ عَلَى الْمُدَّعِي، وَالْيَمِينُ عَلَى مَنْ أَنْكَرَ.
وَالصُّلْحُ جَائِزٌ بَيْنَ الْمُسْلِمِينَ إِلَّا صُلْحًا أَحَلَّ حَرَامًا أَوْ حَرَّمَ حَلَالًا.
لَا يَمْنَعْكَ قَضَاءٌ قَضَيْتَهُ الْيَوْمَ فَرَاجَعْتَ فِيهِ نَفْسَكَ، وَهُدِيتَ فِيهِ لِرُشْدِكَ، أَنْ تَرْجِعَ إِلَى الْحَقِّ؛ فَإِنَّ الْحَقَّ قَدِيمٌ، وَالرُّجُوعُ إِلَى الْحَقِّ خَيْرٌ مِنَ التَّمَادِي فِي الْبَاطِلِ.
الْفَهْمَ الْفَهْمَ فِيمَا يَتَلَجْلَجُ فِي صَدْرِكَ مِمَّا لَيْسَ فِي كِتَابٍ وَلَا سُنَّةٍ، ثُمَّ اعْرِفِ الْأَمْثَالَ وَالْأَشْبَاهَ، ثُمَّ قِسِ الْأُمُورَ عِنْدَ ذَلِكَ، فَاعْمِدْ إِلَى أَحَبِّهَا إِلَى اللَّهِ وَأَشْبَهِهَا بِالْحَقِّ.
وَالْمُسْلِمُونَ عُدُولٌ بَعْضُهُمْ عَلَى بَعْضٍ، إِلَّا مَجْلُودًا فِي حَدٍّ، أَوْ مُجَرَّبًا عَلَيْهِ شَهَادَةُ زُورٍ، أَوْ ظَنِينًا فِي وَلَاءٍ أَوْ قَرَابَةٍ.
إِيَّاكَ وَالْقَلَقَ وَالضَّجَرَ وَالتَّأَذِّيَ بِالنَّاسِ عِنْدَ الْخُصُومَاتِ، فَإِنَّ الْقَضَاءَ فِي مَوَاطِنِ الْحَقِّ مِمَّا يُوجِبُ اللَّهُ بِهِ الْأَجْرَ وَيُحْسِنُ بِهِ الذِّكْرَ.

In the Name of Allah, the Most Merciful, the Most Compassionate.

"To proceed: Judgment (qaḍa) is a firmly established obligation and a followed Sunnah. So understand well when a case is presented to you, for speaking the truth is of no benefit if it is not executed. ***Treat the people equally in your face, in your sitting, and in your judgment, so that no noble person hopes for your bias, and no weak person despairs of your justice****. The burden of proof is upon the claimant, and the oath is upon the one who denies. Reconciliation (ṣulḥ) is permissible among Muslims, except a reconciliation that makes lawful what is unlawful or makes unlawful what is lawful.* ***Let not a judgment you rendered yesterday prevent you—if you review yourself and are guided to what is correct—from returning to the truth. Indeed, the truth is ancient (eternal), and returning to the truth is better than persisting in falsehood****. Exercise understanding, exercise understanding in matters that perplex your heart and are not found explicitly in the Book of Allah or the Sunnah. Then know the similarities and analogies, and compare matters accordingly; then adopt the ruling that is most beloved to Allah and closest to the truth. The Muslims are upright witnesses against one another, except one who has been flogged for a prescribed punishment, or one known for false testimony, or one suspected due to loyalty or close relationship.* ***Beware of anxiety, irritation, and annoyance with people during disputes, for judgment in places of truth is among the acts for which Allah grants reward and by which He makes one's reputation good****."*[12] *(emphasis supplied by me)*

[12] ***Adab al Aadi by Mahmood Ahmad Ghazi, Islamic Judicial Ethics by Shaukat Hayat***

4. National Legal Framework:

4.2.1 Constitutional Foundations;

Constitution of Islamic Republic of Pakistan-1973, being grand-norm guarantees the protection of rights of the people, providing judicial independence and equal and fair treatment to all the citizens before law. Article 175 mandates the separation of the judiciary from the executive, which prima facie ensuring free performance of Judicial functions of courts established by law. Similarly, Article 209 establishes the Supreme Judicial Council (SJC) as the constitutional body to have overall supervisory check and ensure accountability through due process. The Oath of Office under Third Schedule of the Constitution, requires judges to swear that, no personal interest will influence their official conduct, which is a sort of a constitutional commitment to avoid conflict of interest. Further, Article 10-A of the constitution is reinforcing the right of having fair trial and impartial adjudication as a constitutional guarantee.[13]

4.2.2 Code of Conduct for Judges of Supreme Court & High Courts;

The Code of Conduct for Judges of superior courts as adopted in the year 2009, comprising of 11 articles emphasizes on high standards of :*Absolute equality, Qualities of judges, Judges shall be above Reproach, Decline to decide a case involving his own interest, Abstinence from seeking publicity, Abstinence from commercial activities, Abstinence from extra judicial responsibilities, Prohibition on receiving gifts or favors, Relation with other judges, Expeditious disposal of cases, Abstinence from rendering support to unlawful authority.*[14]

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[13] ***1973-Constitution of Islamic Republic Of Pakistan.***

[14] ***http://www.scp.gov.pk, Islamic Judicial Ethics by Shaukat Hayat***

4.2.3 Code of conduct for District Judiciary in Pakistan;

The District Judiciary has explicit guidelines and ethical instructions to be followed. In Khyber Pakhtunkhwa, the conduct of a civil servant is being regulated by The [Khyber Pakhtunkhwa] Government Servants (Conduct) Rules, 1987. However, in addition to these rules the august Peshawar high court, Peshawar has notified the code of conduct for judges in the year 2005, and also issued time to time instructions, keeping in view the job requirement of the judicial officers as warrants special behavior of the judges which demand for possession of the highest quality of intellect and character.

Recently, the National Judicial Policy Making Committee (NJPMC), in its meeting dated 6th & 7th March, 2026, has adopted the Code of Conduct for Judges of District Judiciary of Pakistan, which includes 12 key values, i.e. ***Judicial Independence, Integrity, Impartiality, Propriety and Appearance of Justice, Competence and Diligence, Equality and Respect, Confidentiality, Extra Judicial Activities, Use of Social Media and Public Communications, Accountability, Relationship with Court Staff and Enforcement***.[15]

4.3 Legal Precedents of Pakistan Jurisdiction:

i. ***Sindh High Court Bar Association v. Federation of Pakistan***[16]

In this case the Court stressed judicial independence as foundational to constitutional order. The Court referenced global judicial standards, reflecting influence of Bangalore Principles.

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[15] ***PHC Letter, No 2063/Admn dated 25.03.2026.***
[16] ***PLD 2009 SC 879***

ii. ***Abid Shahid Zuberi v. Federation of Pakistan***,[17]

The august Supreme Court explained the distinction between conflict of interest and bias in a judge as two distinct grounds on which a party may seek the recusal of a Judge from hearing a case---While conflict of interest is related to the Judge's interest in the subject matter of a particular case, bias is concerned with his state of mind and his feelings towards the parties appearing before him. The Court held that for disqualification for conflict of interest the judge's interest must be **direct, certain, and immediate.** Remote, contingent, or speculative interest does not justify recusal. Conflict of interest relates to **personal interest in the subject matter of the litigation**, not merely judicial attitude.

ii. Gulzar Hussain VS The Registrar, Lahore High Court, Lahore,[18]

In this case the court held that, a Judge could not develop terms/liaison with the litigants---Ethics prevalent globally specifically prohibited the judges from maintaining any contact with the parties appearing in their Courts---Speaking privately to the litigants by a judge, even when the conversation was on an unrelated topic, was against the propriety of his office---Practice of a Judge having contact with the litigant through social media was also deprecated---

iv. Ch.Shabir Hussain & Others vs. Registrar Lahore High Court & Others,[19]

In this case the honorable apex Court drew distinction between civil servants holding posts other than Judicial Officers and held that though all civil servants are bound to be honest having unblemished integrity, **the Judicial Officers are supposed to excel in this trait of character in**

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[17] ***2023 SCMR 2028***
[18] ***2024 P L C (C.S.) 57***
[19] ***PLD 2004 SC 191***

view of the sacred and sensitive nature of their duties and the pivotal position which justice occupies in Islam and that the Judicial Officers are expected to guard their reputation jealously.

4.4 International Standards and Established Principles;

Judicial ethics, integrity and avoiding conflict of interest have been deliberated internationally and the international legal forums have developed principle for moral and judicial conduct of the judges which includes; *judicial independence, impartiality, integrity, propriety, equality and competence and diligence.* These canons of ethical conduct, have been recognized and adopted universally to ensure free, fair, transparent and impartial judicial system.

4.4.1 The Code of Judicial Ethics of the American Bar Association.

In 1924 a committee of American Bar Association headed by *William Horward Taft*, the then chief justice of U.S Supreme Court, had drafted canons of judicial ethics, governing the conduct of Judges in the United States. There were no ethical standard available prior to these rules for judges of United States to guide about ethical obligations.[20] A new code of Judicial conduct was adopted in 1972, designed to be enforceable and was intended to preserve the integrity and independence of the judiciary. The code further reviewed and in 1990 the house of delegates of the American Bar Association adopted the 'Model Code of Judicial Conduct'.[21]

4.4.2 The United Kingdom Supreme Court's Guide to Judicial Conduct, 2019.

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[20] ***Islamic Judicial Ethics pag.33***

[21] ***https;//guamcourts.gov/compileroflaws/courtRules/2015***

It provides detailed standards of ethical guidance to the members of the court and explains to the members of the public, that how judges behave and secure their respect and support for judiciary. It provides six "values" includes; *judicial independence, impartiality, integrity, propriety, equality and competence and diligence*.[22]

4.4.3 The Bangalore Principles of Judicial Conduct;

In April 2000, the United Nations Centre for International Crime Prevention in a meeting of a group of Chief Justices and senior Justices in Vienna, in conjunction with the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to address the problem that was created by evidence that, in many countries, across all the continents, many people were losing confidence in their judicial systems because they were perceived to be corrupt or otherwise partial. This evidence had emerged through service delivery and public perception surveys, as well as through commissions of inquiry established by governments. Many solutions had been offered, and some reform measures had been tried, but the problem persisted. It was the first occasion under the auspices of the United Nations when judges were invited to put their own house in order; to develop a concept of judicial accountability that would complement the principle of judicial independence, and thereby raise the level of public confidence in the Rule of Law.

In second meeting in Bangalore, India, in February, 2001, the Group, identified the core values, formulated the relevant principles, and agreed on the Bangalore Draft Code of Judicial Conduct (the Bangalore Draft). Since the Bangalore Draft was developed by judges from common law

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[22] ***http;//ww.supremecourt.uk/uploads/uksc_guide_to_judicial_co.***

countries, it was scrutinized by judges of both common law and civil law systems. A revised version of the Bangalore Draft was next placed before a RoundTable Meeting of Chief Justices (or their representatives) from civil law countries held in the Japanese Room of the Peace Palace in The Hague, Netherlands - the seat of the International Court of Justice - on 25 and 26 November 2002. The Bangalore Principles of Judicial Conduct emerged from that meeting. The core values recognized in that document are ***independence, impartiality, integrity, propriety, equality, competence and diligence***.[23]

4.4.4 Singapore Judicial Code, 2024.

The Singapore legal system is founded upon the cardinal principle that, 'an independent and competent judiciary must interpret and apply the laws of the country and do justice without any fear or favor, affection or ill-will to the best of its ability'. For this Judicial Code of Conduct, adopted in October, 2024, which sets out the standards of professional ethical conduct that, Judges and Judicial Commissioners of the Supreme Court of Singapore must respect and honor in their duty to maintain and enhance public confidence in the legal system, having utmost regard to the oath of office that they have taken. As it is impossible in the nature of things to cover every possible situation, a practical approach which nevertheless contains sufficient specific guidance is adopted. The Code highlights six core values i.e. ***independence, impartiality, integrity and propriety, dignity ,diligence, and confidentiality,*** each of which is prescribing ethical standards for Judges.[24]

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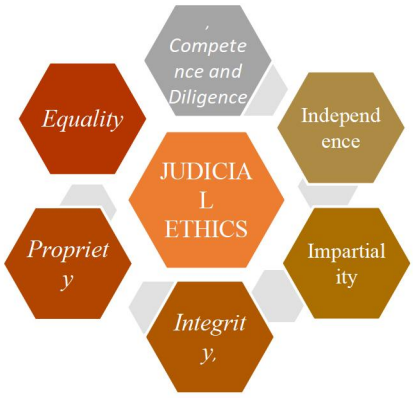
[23] ***commentary on the Bangalore Principles of Judicial Conduct***
Islamic Judicial Ethics by Shoukat Hayat
Legal Ethics and the Profession of Law by YASHOMATI GHOSH

[24] ***http/judiciary.gov.sg/docs/default-source***

Analysis;

Injunctions of the Holy Quran and Sunnah commanded justice with excellence, equality and transparency have been held key features. More stress has been placed on conduct the justice giver, as to be honest in duty, upright in dealings and pious in moral values. Islamic code of judicial conduct, as manifest from the Sunnah and life of believers later on reflected classical traditions to be followed. In the letter of *Hazrat Umar* written to *Hazrat Abu Musa Ashari*, glorious principles of judicial policy and ethical norms were settled. Islamic code of judicial ethics resonates with Pakistani legal ethics and also being followed by the international legal jurisdictions. Right from the Islamic era, strict and clear principles remained in field for guidance and regulating the conduct of those who were burdened with duty of administration of justice. Judicial ethics not only limited to a mere its observance but it enables the litigant public to have confidence in judicial system. The masses should know how the system works and with how much transparency. The core established and recognized principles or traits for transparent adjudicative structure, are ***Judicial Independence, Integrity, Impartiality, Propriety and Appearance of Justice, Competence and Diligence, Equality and Respect and Confidentiality.*** With the passage of time the process of judicial administration further refined and there are more guidelines for judges to regulate the affairs of administration of justice transparently, in context



of, ***Extra Judicial Activities, Use of Social Media and Public Communications, Accountability, Relationship with Court Staff and Enforcement.***

In analytical analysis, *Independence, Impartiality, Integrity, Propriety, Equality, Competence and Diligence* have been recognized by almost all legal systems in the world including International Court of Justice (ICJ). These standards of ethical conduct require and expected the learned judges to remain within these principles. These established principles commensurate with the Islamic concept of ethical standards.

Independence and Impartiality ensures transparency in procedures and fairness in decisions. Being free from influence of other state functionaries and deciding legal matters solely on the basis of facts and relevant law and without having any bias or conflicting interest are paramount important traits of judicial ethics. Similarly, maintaining Propriety and Equality, by treating all fairly and without any discrimination is pivotal ethical conduct. Competence and Diligence is the fulfillment of duties efficiently and being remained full informed.

5. Findings and Recommendations:

Performance of judicial functions should be seen at a distinct pedestal from other disciplines of working, because of its very peculiar nature and a bit high sensitive value as having its connection with dealing in respect of the valuable rights and liberties of the people. Owing to this specialized nature of responsibility, there is always an expectation remains for observance of extreme level care, caution and fairness. Judicial ethics recommends strong moral principles for

guidance and regulating conduct of a judge in and outside of the court. Abiding by the ethical values vis-a-vis guiding code of conduct along with avoiding biases and personal interests, judges are expected to deliver real sense 'Justice' in the society. It is imperative that Justice should demonstrate accessibility, predictability, transparency and fairness. There may be a weak mechanism for enforcement of conduct rules, which could shatter the confidence of masses in the system of administration of justice, but at the same time it may be construed that ethical behavior requires inner commitment and cognition and self-accountability for self-less service delivery without being influenced from external factors. Because of socio-cultural diversity and familial affiliations, adherence to the ethical principles are often compromised and interest emerges especially at district judiciary level, However, there remain a requirement for uniform and certain structure to cater for minimizing, financial, personal or other sort of conflict of interest of judges. Like continued capacity building trainings and formal modules are required to inculcate moral and ethical values to the judges. Conclusively, observance and obedience to the established ethical principles and integrity is sin-qua-non for efficient, transparent and expeditious justice system.

Recommendations;

In view of the aforesaid discourse and the significance of the topic, enhancement of ethical education by making as integral part of the curriculum, is the need of the hour for proper comprehension and understanding. one may recommend that there should be an arrangement of periodic interactive sessions and capacity building trainings for revamping the inner conscious of judges and inculcating the importance and further strict observance of the moral and codal

principles of judicial ethics and integrity. Through enhanced and effective surveillance mechanism, purpose of fairness and transparency can be achieved. In respect of conflict of interest, recusal procedures should be clarified in particular circumstances for following. There should be a financial check through filing of annual 'Assets Declaration' as mandatory for judges. There should be a ban on any sort of moneymaking and indulgence of the judges in commercial activities. There should be a fixed tenure at a particular place of posting to secure peace and certainty of events in personal life of judges.

6. Conclusion

There can be no second opinion that, observance of Judicial ethics, upholding integrity and avoiding conflict of interest, are obligatory to the legitimacy of justice systems. For ensuring transparency and equality in the administration of justice, adherence to judicial ethics and integrity and voiding biases and conflicts of interest are more than legal requirement as well as a moral duty for judges. Across the globe, legal jurisdictions have recognized strong and effective norms and principles of judicial ethics, however for achieving an efficient, impartial and transparent judicial system, continued efforts through re-enforcement of these set principles are the need of the hour. Being associated with the sacred duty of dispensation of justice, it is mandatory that principles of ethics must strictly be followed not only to comply with procedural requirements but to uphold moral accountability before society and, in Islamic perspective, before Allah Almighty. As Muslim we are accountable not only in legal paradigm of this world but certainly hereafter in heaven before the Allah Almighty. A judge always stands at the juncture of law and conscience but the ethical dictates remain the same and unconditionally

demands to remain impartial, to decide without fear or favor, to avoid personal interest and bias in decisions, and without compromise of integrity and judicial norms. An assertive and ethically conscious judiciary functions not only as an arbiter of disputes but as a guardian of public rights. Last but not least, an independent, impartial efficient, vigilant and assertive judicial system can only ensure delivery of transparent, inexpensive and expeditious justice to the public litigants.

7. References

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