

**SPEECH MADE BY THE DEPUTY PRIME
MINISTER TO THE MALAYAN CIVIL SERVICE
ASSOCIATION AT THE HOTEL MAJESTIC,
KUALA LUMPUR ON OCTOBER 28, 1960**

Mr President and Gentlemen:

I am grateful to you, Mr President and to you all Gentlemen for giving me this privilege of talking to you this evening. When your President came to see me I must say I was at a loss to find a suitable subject. Being a politician I should not, of course, talk anything about politics to you as that would be tantamount to tempting to bring political influence on you which will be against the known practice in a democratic country. At first I thought, having been a civil servant myself, I might talk to you about my experiences as a civil servant. However, my experiences as civil servant were naturally quite limited and many of you here have had more experience as a civil servant than I had, therefore, much of what I might have to say would be of no benefit to you. Therefore, the only subject which I thought would be of some interest to you is the role of Civil Service in a Democratic Country. Your President agreed that this will be a good subject. After all, since Independence, three years ago, we in this country had been trying to make Parliamentary Democracy work and therefore each one of us, politician, civil servant and members of the public should know what our proper role is.

But before I speak on this subject I should like on behalf of the Government, the Alliance Government, to thank you all for the services that you have rendered to this country and for the way in which you have so loyally served this Government. The Alliance Government has been in power in this country for just over five years. These years had been difficult years, years of transition from a dependent territory to an independent territory—years of great changes. Despite these many great changes, the Civil Service had stood up admirably. Malayan officers have risen to the occasion splendidly. During these years, owing to the Malayanization policy, many senior expatriate officers have left the country and some are leaving soon and their places have to be

taken by Malayan Officers. In some cases there has been shortage of officers.

Our recruiting and our training have not been able to live up to our requirement and therefore some of you had to bear more than your normal share. But I am very pleased to say that you have carried out your duties and responsibilities exceedingly well. Our country today has a good name abroad throughout the world. Everywhere people speak highly of our country and of our Government; when I speak of Government this includes the Civil Service. This has been due largely to the stability of our administration and, in this, all of you have played a great part. Therefore I say, we in the Government are grateful to you for what you have done and I can well say that you well deserve the gratitude of the country.

Now, coming to the subject that I propose to speak about tonight, I should like first to reiterate that we in the Federation of Malaya believe in the principle of Parliamentary Democracy. This is the principle that is enshrined in our Constitution.

The Civil Service in this country, the Malayan Civil Service and also the Technical Service, have been in existence for a number of years even before the day we achieved independence. However, since Independence, whether you realise it or not, there has been a change in the position of the Civil Service with the change in the statue of our country. Before Independence, the Malayan Civil Service which *inter-alia* are *synonmous* with the Colonial Civil Service and loyalties and values which grew up to meet the need of the Colonial system of government, with the same authority in a Colonial Office in the United Kingdom. Moreover before Independence there was an element of government in the Civil Service; Civil Service were responsible for making decisions as well as for implementation and execution. You all were then responsible to senior Civil Servants but now you have to be responsible to elected Ministers—so there is this fundamental change. The element of "Government" had to give way to deal with administration and execution. The Colonial Civil Service is disappearing and it is my earnest hope that a new service will emerge reflecting the true need of our country with loyalties and with values relating wholly to the need of our people and our country.

In the Parliamentary Democracy, the Civil Service forms part of the executive of Government; the Civil Servant is a servant of our King, and under our Constitution that has just been amended, the Civil Servant can be dismissed at the pleasure of the King. Of course this does not mean that Civil Servants can be dismissed at will and pleasure in normal practice. There are rules and regulations and Terms of Service which govern the position of a Civil Servant. This part of the Constitution will only be enforced against Civil Servants in cases of misconduct or gross inefficiency.

But following the established condition in a democratic country, Civil Servants continue in office even though there may be a change of Government. Ministers, although their liberal status is like Civil Servants too, that is servants of the King, can be dismissed on the advice of the Prime Minister on constitutional grounds and come out of office on tendering their resignations or at the resignation of the Prime Minister or they come out of office, which is a normal practice, when they are voted out of the poll. But Civil Servants shall continue in office in order to be assured of continuity in the operation of the administration machine, because without such a system something like a chaos would automatically follow with its change of Government or change of Ministry.

Because of this system, the Civil Service must be impartial and free from political influence. A Civil Servant must be loyal to any Government in power and he must not allow his political views to come into conflict with his loyalty to the Government of the day or to his Minister.

Now, as a corollary to the principle of impartiality of the Civil Service, there is a principle of the Ministerial responsibility or the rule of anonymity in the Civil Service. The Minister is responsible to Parliament for the act of the Civil Servants under him, and he cannot free himself of the blame of his officials. This principle is necessary if the system of Parliamentary Democracy is to work smoothly.

This positive liability of the Minister for the act of Civil Servants under him is essential for the performance by Parliament of his role of critic of his executive and for the principle of the executive being responsible to Parliament to work smoothly. No Minister can defend himself by blaming his officials.

However, there are a number of categories of facts which require differing consideration in the application of this principle of Ministerial responsibilities: Firstly, the Minister must protect a Civil Servant who has carried out his exclusive order; secondly, the Minister must defend a Civil Servant who acts **properly** and in accordance with the policy laid down by him; thirdly, if an official makes a mistake or causes some delay in the work of the Department but not on an important issue of policy, a Minister should normally acknowledge the mistake and accept responsibility although he is not personally involved. He should take action **departmentally** to correct the mistake. However, where a Civil Servant has taken an action of which the Minister disapproves and has no previous knowledge and the conduct of the official is reprehensible, then there is no obligation on the Minister to endorse what he believes to be wrong or to defend an act which has been done completely to the error of his officer. Of course, constitutionally he may be responsible to Parliament for the fact that something has gone wrong in his Ministry but he is entitled to state the facts and to effect control and discipline.

Following this principle of Ministerial responsibilities and the rule of anonymity of the Civil Servant, a Civil Servant is expected to serve his Minister to the best of his ability. If he is a Permanent Secretary he must see to it that all sides of a question have been most carefully examined before a case is put up to the Minister. Civil Servants are independent and must express their views to the fact that even if the facts may be unpalatable to the Minister. It is the duty of the officials to put the facts before him and the officials will fail in their duty if they try to bring submission of a case if they know or suspect it to contain a different political point of view—Decision is a matter for the Minister. But the Minister is entitled to know the views of experts and officials in his Ministry in order to enable him to make his decision. The Minister is not an expert on the subject in his portfolio. Indeed, it is the general practice in a democratic country not to appoint a person who is an expert on a particular subject as Minister responsible for that subject. It is not the practice for instance to appoint a doctor as the Minister of Health or a soldier as Minister of Defence. The idea of having a Ministerial system is to bring the lay-men's point of view in the formation of Government policy. Permanent officials are the experts to give advice and the Minister is to bring the common men's point of view to the administration of the State.

A Minister may decide on a certain course of policy against the advice of his officials or his Permanent Secretary. If the Permanent Secretary does not agree with the decision made by the Minister he is entitled to give second advice to the Minister but if the Minister persists in the decision, then the Permanent Secretary, indeed all the officials of the Ministry, must accept that decision loyally. Not only that, they must defend that policy and prepare facts and figures for the defence of that policy. This is the position of the Civil Servant vis-a-vis elected Ministers in the democratic system of Government. As I said the principle of loyalty to the State and to the Government of the day is an important feature in the role of the Civil Service in a democratic government. Equally the impartiality and the non-political character of the Civil Service is an important feature of that government. The Civil Service is a permanent service and its members are not normally expected to give up or quit office on the change of government. They are expected to serve all governments of whatever complexion with equal loyalty and to attain the confidence of the Ministers irrespective of their political party. This position can only come about if Civil Servants, especially those of the higher ranks exercise restraint in political matters.

The duty of the Civil Service is to put into effect the policies of Government. It is the instrument by which the Government gets its work done. It is in effect the executive arm of the Government. Therefore as I said success of any Government programme, indeed the endeavours of any governments, depend on the efficiency of the Civil Service. We are a young country, we have a heavy task ahead of us in endeavouring to consolidate our newly won freedom, and to give our people a new and a far higher standard of living than they have known before a standard of living which will be compatible as an independent nation, and to give then a new sense of values. You all, members of the Civil Service have a vital role to play in this great and challenging task; indeed you have a new and a changed role in the change in status of our country. But you will have one satisfaction to know, and that is you are serving your own people and your own country.

Now Mr President, having spoken on the role of the Civil Servant in his official capacity I feel I will not be dealing adequately with this subject in my talk if I do not also dwell on

the position of a Civil Servant in the community. A Civil Servant, like other members of the community, has a private life and a personal place in society. As I have indicated in his official activities the Civil Servant, because of his role of an employee was not an authority in himself. He should seek anonymity and endeavour to shun publicity. In his private life it is even more necessary. When he leaves his office, he leaves behind his official title and position and assumes his own place in the family and in traditional society. He must endeavour to retain this integrity within that society and in my view, it would not be proper for any Civil Servant to attempt to set himself apart from his neighbours and family because of any position he might hold.

By this I do not mean that outside his office and away from his work a Civil Servant has no responsibilities whatsoever towards his position. He is a member of the corp of service dedicated to the service of the community and he should maintain a code of conduct and moral. He should not bring the service in any way into disrepute but rather enhance the reputation in the eyes of all with whom he comes into contact. If a Civil Servant is found to be identified in the eyes of the public with a particular political ideology, his impartiality in the performance of his duty becomes thereby prejudiced and to that extent he brought the service into disrepute.

Mr President, these are matters which are difficult to put into written rules and regulations. We can have rules and regulations governing the conduct of Civil Servants in the healthy Civil Service, but far more important in my view is the unwritten code of ethics and conduct—tradition, practice and convention transcend all written books. The most effective assessment of this is public opinion inside the service itself. We are a young country and our Civil Service, the Civil Service of Independent Malaya is young and therefore it is my hope, my earnest hope, that you members of the Civil Service would develop a sound and healthy self-criticism within yourselves. Tradition, convention, self-criticism, self-improvement are the virtues which should be cultivated by the Civil Servant.

On the part of the Government I can assure you that the Government will provide all possible facilities for the development of a healthy, competent and self-confident Civil Service, but the

Civil Service must cultivate its own tradition and convention. The best tradition of all is a conception of the Civil Service is a section of the community bound together by the acceptance of the common purpose, that their talents are dedicated to the service of the community and the country. It is a national service and not for gain, indeed a service to the community and a public service. There is little money; but if one does one's work in the right spirit there will be the greatest satisfaction. And it is this satisfaction that I hope you will see, satisfaction in the knowledge of a job well done in the interest of the community and of the country at large.