

Speech on Knesset Ethical Code

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Before we can try to understand the meaning of ethics for a Member of Parliament, we must first understand the meaning of the word ethics.

Ethics is not a catalogue of rules of things you must not do: such as “You must not participate in a debate in which you may have a personal interest”. Such rules are the conclusions that are extracted from the ethics.

Ethics is an ordered concept of “appropriate (fitting) behavior”.

The boundary that separates appropriate from inappropriate behavior is not set by the Law. The legislator and the courts determine the Law, and this sets the minimum level, the “threshold”, of “appropriate behavior”.

Ethics determines the “standard” for “appropriate behavior”, which is much higher than the “threshold”. In the words of one of the greatest commentators on the Talmud of the 13th century, Rabbi Menachem ben Shlomo Hame'iri: “ a man should always crown himself with an honorable character”, and also: “A man should always praise himself for his good characteristics . . . even in matters not related to commandment or injunction”.

Sometimes ethics are inherent, implicit. Sometimes they are explicit – as an ethical code in a written document; a formal ethical code that formulates the principles of “appropriate behavior”.

Sometimes it is necessary to move from a state where ethics are implicit to a state where the ethics are explicit, where the ethics is written down and organized in a collection of principles, moral values and rules.

When do we have to move from a state of implicit ethics to a state of explicit ethics?

This is a simple question that requires a complex answer: The transition from latent or inherent ethics to open or explicit ethics can be compared to climbing up the ladder of “appropriate behavior”.

How do you climb up the ladder of “appropriate behavior”?

How do we decide what is “appropriate behavior” for a Parliament Members?

This is the central question. We can pose a similar question regarding any type of ethics: how do we know what is “appropriate behavior” for a doctor, for an army officer, a business manager or a lawyer?

The ethics of any national organization in any democratic country are founded on three elements:

The organization is an **official state body**; it has **its own specific mission and values**; and it is part of a **democratic state**. This is how it is in the USA, this is how it is in Britain and this is how it is in Israel too.

Since the ethics of the Knesset, the Israeli Parliament are rooted in its nature as an official state body, then “appropriate behavior” for a Member of Knesset must reflect the fact that the Member is a citizen who has accepted the role of an active public figure, acting at an official state level, for the benefit of all citizens.

Since the ethics of the Knesset depend, among other things, on its being an official state body with its own specific mission and values – then the definition of “appropriate behavior” for an MK should reflect the fact that he is a trusted representative of the public; that he is a leader for those who voted for him; and that he is a member of a constituent assembly, a legislative body, a body that supervises the activity of the branches of government.

A member of Knesset, as such, also bears the social responsibility of a leader, and as such should contribute to the formation of the social culture of the State – by setting a personal example.

In this context, I would like to quote the very apt words from the section of the Mishna known as “*Pirkei Avot*” [The Ethics of the Fathers]. It is written there: “A fool and a wise man each have seven characteristics: a wise man does not speak before one who is greater than he in wisdom or in age, he does not break into the speech of his fellow man, he is not hasty to reply, he asks questions to the point and replies appropriately, he speaks about first things first and last things last, and when he does not understand, he says I do not understand, and he acknowledges the truth. The reverse of all this is true for the fool”.

Anyone who takes on the role of leader must ask himself which personal example he is giving to those who elected him, that of the wise man or that of the fool? A Member of the Parliament, because of his position, can make a contribution to the design of the social culture and the style of debate and political confrontation, in the spirit of the wise man from “The Ethics of the Fathers”.

And since the ethics of the Knesset is based, among other things, on its being the parliament of the State of Israel that is a democratic, Jewish State, then the “appropriate behavior” of a Member of Knesset should reflect his unambiguous loyalty to the values of the State as a Jewish State, and to the values of the State as a democratic State.

As a Jewish State, the State of Israel is the realization of the right to self-determination of the Jewish People. As a democratic State, it is founded on the principles of human dignity, decency, justice, equality, liberty and peace.

Here is the place to remove misunderstandings concerning the written ethical code for Members of Parliament.

Code for Members of Parliament, is, in fact, a process of upgrading and not a process of creating something from nothing.

Second point is that we should realize that the written ethical code for Members of Parliament will not state the obvious.

The ethical code does not provide a general guide for appropriate behavior for a Parliament Member. The general direction is indeed self-evident. The purpose of the ethical code is to set a minimum standard of behavior, in as clear a fashion as possible; a standard that a Parliament Member should in fact rise above. They should always be at a level higher than the norm, but never lower.

This standard norm is not self-evident. For example, how much effort must a Member of Parliament make to avoid behavior that may be perceived as unethical even if it is not? We all know that the integrity of a Member of Knesset should be part of the person, but everyone also knows that the integrity of a Member of Parliament should also be seen.

And in the well-known phrase taken from another context – just as: “justice in the courts should not only be done, but should also be seen” – so integrity too.

Public trusteeship, keeping faith with the State and paying careful attention to the dignity of the Parliament, should not only **be** an inherent part of the behavior of every Member of Parliament, they should also **be seen**, very clearly, in the behavior of every Member of Parliament.

If the behavior of an MP might be interpreted by the people as behavior that does not conform with one of these moral values, then this comes under the heading of behavior that does not reach the level of the minimum standard.

The ethical code is intended to mark the level of that standard, as clearly of possible, so as to make it easier for every Member of Parliament to **always** be above it.

I would like to emphasize, that the Ethical Code is not intended to interfere with the daily activity of the MP. It is not intended to confine him; on the contrary, it is intended to help him.

When a Member of Parliament asks himself, in any context, what is the “appropriate behavior” for a Member of Parliament, the Ethical Code will help him or her consider and decide what is appropriate and what is not appropriate.

A Member of Parliament always has to consider and decide on the question of the appropriate way to act. But in order to make a decision on ethics, it is necessary to have knowledge of ethics.

The Ethical Code will provide the Member of Parliament with this ethical knowledge, ethical knowledge that will provide a permanent and stable basis for his decisions.

Finally, I would like to say that an ethical code is only one element of the ethical process. Who knows better than us, members of the legislature, that it is not enough to set down norms in writing.

The pathway from the written norm to the behavioral norm is not a simple, straight path. When the Parliament passes laws, the pathway from the written word of the law to behavior according to that law is no longer under the control of the Members of Parliament.

However, when the Parliament seeks to determine its own ethical code – the concept of “appropriate behavior” for MP’s, the whole pathway, from the written document to the actual behavior, is right there at the doorways of the Parliament Members.

The Member of Parliament can choose to act appropriately, in accordance with the norms of the Ethical Code, just as he can choose not to act appropriately. When we accept the norms of the ethical code, we promise the people who elected us, the citizens who observe us, who regard us as their representatives and their leaders – we promise them that we will behave properly, will use “appropriate behavior”.

There is no need and no time to expand on how important it is that the citizens have confidence in the Members of Parliament.

Ethical Code and the unquestioning upholding of it, by **every** Member of Parliament , **all** the time, is one of the tried and tested means, if not the most important, for raising the level of confidence of the citizens in the Parliament, and for raising the prestige of the Parliament.