

ACCOUNTABILITY ROUND TABLE INAUGURAL LECTURE

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INTEGRITY IN PARLIAMENT- WHERE DOES DUTY LIE?

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"It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat."

— Theodore Roosevelt

This quotation from Theodore Roosevelt reminds me that nothing is easier than being an armchair critic.

It has particular historical significance and meaning for me because when in about August 1992 I decided to leave the Parliament and went to advise the then leader of the Liberal party, John Hewson, it was displayed on a shelf in his office. During the course of what was the most friendly and amiable conversation he and I had ever enjoyed, (my departure did not seem to matter of regret for him as it was not a matter regret for me), I told him I would not be a critic sniping from the sidelines and I would remember that quotation.

I was happy to make that commitment that because during nineteen years in the Federal Parliament I did not remember looking to ex-members of Parliament for guidance. There were some rare exceptions like Dr Jim Forbes who had been a valued colleague and a friend both to me and my father. His continued active involvement as President of the Liberal party as well as personal friendship kept us in contact but from a serving politician's perspective ex-politicians are the people who have left you with all the problems you are trying to solve. No matter how good a job any particular cohort of politicians might do, the world is never without

problems. You, the new generation, are going to Parliament to solve the problems they have left behind.

I have largely honoured that undertaking to John Hewson. However I have reserved the right to publicly comment and debate issues on which I continue to be directly involved such as

- Aboriginal Affairs and public administration relating to Indigenous people,
- the treatment of refugees where my involvement has been to support the active engagements of my wife, Angela, and
- the deficiencies in the governance of governments in remote Australia which impact so heavily on the 5% of Australians, black and white, who live there .

In those areas I have felt quite free to participate in public debate and to appear before parliamentary committees. In private I have felt free to adopt the critical attitudes of most Australian citizens, including frequent expressions of irritation at the seemingly mindless adversarial carry-on which is built into the party system. It is the frequency of public complaints about the state of our politics which led me to accept this invitation to speak on “Integrity in Parliament- where does duty lie?”

At a time when there is much irritation about the functioning of the political process, in this lecture I want to canvass the difficulty of judging politicians through the lens of integrity because of the layers of responsibility they have and the complexity of many of the issues with which they have to deal. In any particular circumstance the answer to the question, what is the right thing to do, depends on judgements about what interest they are supposed to serve and what policy choices they actually have. How a person of integrity should act is dependent on the nature of the questions faced and in whose or what interest he or she should be acting. Where does the politician’s duty lie?

Later I will discuss how some seem to cut through these dilemmas and are judged, even by those who may disagree with their policies, as acting in a principled way despite the twists and turns inherent in political life.

The truth is that government and politics are hard work and difficult. Both necessarily involve compromises. Was it Whitlam who said only the impotent are pure? Behind the theatre of politics most decisions involve choices between imperfect approaches.

Let me illustrate that by example. The design of a social security system requires consideration of worthy but conflicting principles.

Since budgets are always limited it seems a wise and indeed necessary principle to focus assistance on the needy. This is done pretty well in the Australian Social Security system by the use of income and means tests which ensure a basic minimum is provided for those without means and on a reducing scale for those with some income and assets of their own.

At the same time it is now accepted even on the left of politics, if such a thing still exists, that it is important to encourage, even demand, self-help. It is a matter of mutual obligation. It advances self respect and human dignity. The present Prime Minister seems to be a strong supporter of this second principle with her references to her hard-working parents and the need for people to work. But this excellent principle, long espoused by the Liberal Party, is in direct conflict with the earlier principle mentioned. The more you use means and income tests to limit access to income support the more you create poverty traps. As earned income increases there are high rates of withdrawal of income through those tests and the additional impact of income-tax. As a result people coming off welfare as they become earners may pay the highest effective marginal tax rates of anyone in the country. This is a clear disincentive to self help, to taking a job.

One of the many lessons I learnt in administering social security was that whatever proposal was put forward it could be subject to a principled objection by Treasury and Finance. If what was proposed was a general benefit it could be opposed as it failed to focus assistance on the needy. On the other hand if what was proposed limited benefit through income and/or means tests it was said it would increase poverty traps. In each case the objections were factually correct. The problem is somehow to accommodate those conflicting principles in a system design to ensure that there is adequate safety net for Australians in need and that as far as possible we provide for ourselves. There are constant adjustments to the system to find the most economical and humane balance.

Compromise between those principles is necessary in any welfare system. The decisions made seldom go to integrity of politicians. Rather they have to make necessarily subjective judgements about the best compromise available at the time to serve the public interest. Clearly the political interest will also influence these judgements. We are blessed to live in a democracy, the gray vote is powerful, and a government's

survival depends on public approval, but the point here is that policy judgements are seldom between a principled or an unprincipled decision.

A starting point for judging politicians is to remember that whatever policy choices they make are likely to be open to valid criticism.

At the same time the adversarial nature of the system leads the politician to defend any decision as though it were without fault. This defence is usually a nonsense. To all but one's rusted on supporters it is always open to challenge. The rational defence for most decisions is that it was the best choice available but that is not absolute enough to satisfy supporters and makes it easier for critics.

If we expect politicians to be guided by values we find similar dilemmas, admirable values in conflict. As Sir Gerard Brennan put it "... no value can be stated in terms that are universal and absolute. Liberty and equality are estimable values, but absolute liberty can be the enemy of equality and absolute equality would demand that the curtailing of liberty".

Where does duty lie in making political decisions, these judgement calls? Quite apart from the inherent difficulties in making what might be judged "right" decisions politicians face an array of often conflicting areas of obligation. For whom are they politically responsible, to whom are they accountable?

The claims on a politician's loyalty are many.

The individual's personal political philosophy and policy views may be highly developed. You owe it to yourself to be true to those views as far as possible.

There is likely to be a family with expectations about what the individual stands for, a family which may make significant personal sacrifices to enable and sustain a political career.

Then there are supporters, people who believe in you and what you stand for. Many politicians have these as key contributors to campaigns and as providers of moral support. As with self and family those people are owed something. There is an element of accountability to them, there is a level of obligation, not to advantage them, but to live up to their faith in you.

Then there is the political party which is the usual vehicle for becoming a Member of Parliament. It has legitimate expectations that the person it has selected to carry its banner will advance its views. Yet that party's views may well on particular issues be quite different from the individual views of the politician, from different elements of the party, national, state, and local, and from an array of Parliamentary colleagues. There clearly is a level of obligation there. (A personal note, when Aboriginal Affairs policies I was supporting on behalf of the Fraser government were deeply unpopular with my endorsing party in Western Australia I was supporting Government policy which I was bound to do as a Minister, with which I and my family agreed but towards which my endorsing Party was unremittingly hostile, and perhaps my electorate as well. The pressure was intense and unpleasant. Sometimes in difficult meetings I would mentally place my family among the hostile audience and imagine I was speaking to them to avoid doing what I've seen so often, a speaker crumbling and saying what he knows the audience wants to hear.)

Then there is the electorate which has voted you in and which believes you are there to represent its interests. In the USA, where there is a comparatively loose party system, playing to your electorate is more pronounced than in our Westminster style system but electors find it hard to accept Burke's idea expressed in the letter to the electors of Bristol that he was elected to exercise his judgement rather than their will.

Then there is the Parliamentary Party or caucus you automatically join on election to parliament. This too demands accountability, "Disunity is death" we hear from Prime Ministers and Opposition leaders.

Then there is the Parliament. Each member swears or affirms that he or she "*will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her heirs and successors according to law...*" because that is required by section 42 of the Constitution.

Those of us who are republican in our beliefs have to give that a proper meaning as allegiance to the people of Australia and their interests. But clearly there is a level of obligation there to show allegiance to something beyond self, family, supporters, party, or electorate.

Then there are the separate obligations imposed on those on the front bench. Successive Labor governments, Keating and Rudd, have sworn to "well and truly serve the Commonwealth of Australia, her land and her people, ..., so help me God." swearing allegiance to the nation, not to the head of state.

John Howard reinstated the Queen but left out her heirs and successors but the precise terms of the oath are not the point here. Rather these various oaths are a reminder of the layered accountabilities of members of parliament and of the executive. The oaths suggest that the ultimate duty is to the people of Australia beyond those other legitimate claims on loyalty.

We all understand some of this. We all know that Ministers have to accept cabinet solidarity or leave office. Shadow ministers accept a similar obligation. Can there be any doubt that at times it is inevitable that decisions by individual politicians or their support for Party or executive decisions will mean they will be disappointing themselves or their families or their supporters or their endorsing party or their electorates or their parliamentary party any or all of which may disagree with a decision conscientiously taken. Any of the disappointed may regard a decision with which they disagree as lacking integrity.

So seeing a lack of integrity in a politician because you disagree with an action or decision may be a harsh judgement on the person who *“is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds”*.

Something else needs to be said about the Westminster system as it operates in Australia. Political parties are not an add-on to the system. Stable political parties are an essential part of providing stable government and a functioning parliamentary democracy. A stable opposition party ensures you have an alternative government if you want to vote out the government. We have long raised eyebrows at the instability of some European Parliaments with parties that are more fragmented and less stable and disciplined than our own and Britain's. Australian political parties are more highly disciplined than those in the British Parliament, and in my view too highly disciplined on legislative issues, but again the choice is not between perfection and imperfection but rather between approaches each of which has advantages and disadvantages.

The importance of stable parties is a big complication as far as determining where political duty lies. During the 1980s, in opposition, the sustainability and talent base of the Liberal party became a major issue for me and some other Liberals. That influenced many of my decisions

including about the recruitment of new MPs and, most difficult, about leadership. To not have an effective opposition capable of taking government is to hollow out our Australian democracy. Without an effective opposition ready to take the reins of government the electorate has no one to turn to. In that sense the party interest becomes the national interest.

The dismissal in 1975 flowed from a belief in the Parliamentary Liberal Party that Australia's future was seriously threatened by an incompetent and scandal ridden government. What was done by the then Opposition was seen by critics as lacking in integrity. The appointments of Senators unsympathetic to the Labor Government to fill two casual senate vacancies, appointments made by non Labor State Governments, had altered the Party balance in the Senate. This was seen by many as constitutionally improper and contributed to the claims of illegitimacy when Supply was deferred.

I have tried to draw from personal experience to explain why politics is difficult, why politicians inevitably disappoint, and why we should be careful in our judgments about the integrity of those in Parliament. But are we entitled to feel that politics should be better than it currently is? There seems to be a whispering in many hearts that we are being short changed. Why?

I include myself among the disaffected. What led me, on the eve of the last election, when asked by my local newspaper who would win the election, to say that it was Hobson's choice, neither side deserved to win? What led to the Accountability Roundtable wanting to discuss integrity in Parliament?

I cannot speak for the Accountability Round Table but my election time disillusion flowed from the fact that two opposing Party leaders, both of whom I had liked and respected, seemed to have disappeared during the campaign. What I had liked had been replaced by individuals whose only guiding principle seemed to be to find advantage in key marginal electorates. They conveyed to me that they were without regard to anything beyond the immediate electoral interest of their respective sides. There was in the campaign no story about Australia that made sense. Wherever I went in Australia during the campaign I sensed a similar disillusion. When my prediction was reflected in the hung Parliament it seemed that my limited sample of the dissatisfied reflected a wider dissatisfaction.

When invited to give this talk I started to collect comment about the state of the parties and of politics but quickly gave up. The volume of critical comment was too great. Rather than collecting the many expressions of dissatisfaction it may be more constructive to look at what are the foundations of purposeful politics directed to the national interest and in particular the longer term interest of Australia.

What are the sea anchors in a system, stabilising factors which enable the electorate to discern the direction of travel, to put individual decisions whether popular or unpopular into an understandable context? Where is the story to come from which enables single issues to be seen as part of an overall program which can be judged within a context rather than a freestanding publication to be judged in isolation on the basis of who loses?

There are a number of factors which in isolation or together can clarify what a government stands for, a number of ways in which politicians may demonstrate with some clarity how they will judge where their duty lies and we can see integrity in their actions.

One is purposeful leadership.

The quality of individual politicians can be such that it is clear what ends they are serving. This clarity usually comes from a minority of Parliamentarians. The Economist once suggested that the House of Commons was full of worthy men and women but that at any time only about 10% of them made a difference to the nation's politics. Replace the rest with other worthy men and women and no one except the immediate families of those replaced would even notice. (The Economist put a neat twist on to this suggesting that the object should be to turn over the 90% at regular intervals to add to the talent bank. It suggested this could be achieved by dint of having very high retirement allowances after eight years of service diminishing annually thereafter. This might encourage the mediocre to leave.) But agree or disagree with the 10% rule the personal characteristics of politicians such as Robert Menzies, Malcolm Frazer, John Howard, Charles Court, Neville Wran, Steve Bracks, and Bob Hawke, to name just some gave us a pretty clear idea of what sort of government they were leading. We knew what to expect in any particular situation during their various leaderships. They may have made mistakes, gone up or down in the polls, and been subject of savage criticism but no one spent much time speculating on who was the real Bob Menzies or considered their swimming costumes relevant. They

could be liked or disliked, abused or ridiculed, but the complaints would be focused quite differently from the complaints we hear today.

We cannot guarantee the quality of those we elect but individuals who are known to stand for something, the so-called “conviction politicians” are steady influence even from the backbench. The member for Wakefield from 1958-1977, Charles Robertson (Bert) Kelly with his long-running modest member column in the Australian Financial Review ploughed what was for a long time a lonely furrow advocating tariff reduction. He did not have to cross the floor to demonstrate integrity. Consistent advocacy of a thought through intellectual position does that. He was one of these who sowed seeds of the policy changes made after he left Parliament. Those changes are universally seen as the basis of our present prosperity. It was leadership from behind of the sort I witnessed before I went into Parliament in the backbench careers of Bill Wentworth, Kim Beasley Senior and Gordon Bryant in the field of Aboriginal Affairs.

This leads in to a second possibility for enabling stability of purpose – adherence to a coherent and declared ideology. Historically, Liberals may have fought Labor’s socialist ideas and Labor the Liberals’ commitment to property individuals and enterprise but each could claim integrity in Parliament and in the electorate, to being true to a set of ideas. There was for a long period broad cross-party support for what is described as the Federation settlement including tariff protection, centralised wage fixing, and the White Australia policy. Within that broad framework each side published and was judged against a set of ideas. Some of our present difficulties flow from bipartisan support of more open economy. To the extent there is substantial shared ground establishing political difference can become focused on individual policy issues without any coherent pattern or explanation for the policy choices made. I will mention later the wet/dry debate in the Liberal Party in the late 70s early 80s as an example of how policy coherence can be achieved to a point where there is observable integrity in decision making.

A third possibility was a reality for much of our political history. Broad-based political parties with large numbers of members spread through large numbers of branches exercising real authority over policy and candidate selections ensure that the mass of party members themselves are a sea anchor in the system. With memberships numbering in the hundreds of thousands accepting responsibility to debate policy, to raise funds, to man polling booths, to select candidates, political leaders had reference points they could not afford to ignore.

While the Liberal party eschewed party control of parliamentarians and the Labor Party chose a constitutional link between party and parliamentarians, in each case the party members had a role of substance. I grew up in that system and was part of it for 16 years before entering Parliament. Over that time I attended many hundreds of meetings held in Party rooms, private houses, halls or wherever branch members had decided to meet. We debated the present and the future of our State and country and learned to confront and deal with differences face to face. We selected candidates and moved policy motions up the line from branch to division to the State conference and the national conference. I still remember with satisfaction getting amendments to the Western Australian Mining Act from policy work done in the North Perth Branch of the Liberal party in 1968. It was community-based politics and after I entered Parliament I watched with horror its replacement in my State by factional branch stacking of a sort I had associated with the worst elements of the trade union movement. But in the days of mass membership of political parties they were, at a minimum, like a national jury. Politicians had to engage with their respective parties and show respect. Later generations of politicians have chosen to reverse the system, to control and neuter the membership. The exodus of party members is the result and we have lost a stabilising influence.

The professionalisation of politics and the party system is the opposite of a sea anchor. The political technicians have taken over from the policy makers. The increased skills now available to read the public mood, to determine what the public will accept today and what words can be heard today without rejection has led to reversal of the rule laid down for me by my friend and colleague Jim Carlton, himself for a time a party professional. When we worked together on economic issues during the 1980s he made the point that the first task is to find the right answer, the second task is to work out how to sell it. This is the antithesis of an approach based on finding out what you can sell today to provide the answer for tomorrow.

There are lessons to be learned from success.

It is common ground that the Hawke Keating government along with the reforming period of the Howard Costello government laid the foundation for our resilience in the face of successive international economic crises. Where did that transition from the Federation settlement to a new order of a more open economy come from?

Malcolm Fraser claims, with some justification, that the work of his office and Department was an influential starting point during the period of his government. My judgement, with which I think he disagrees, is that the Fraser Government was in the difficult position of being at the cusp of the move to the new order.

But what is certain is that the intense policy debates of the late 1970s and early 1980s between the wets and the dries in the Liberal party were an essential part of creating a new framework of thought within which governments of whatever colour would operate. Those debates were of course public and not confined to the Liberal party but MPs played a significant role. Industry bodies and academics were also prominent. There were slogans then too, the shorthand of wet and dry were both slogans and, at times, expressions of mutual contempt. But there was powerful policy content in the debate. Were we as Australians to accept the suggestion we would become the poor white trash of Asia? Would we succumb to the Argentinian disease? The prospect of economic weakness and decline were seen as clear and present dangers to Australia which the change agents believed had to be confronted. Who were those agents of change? Among the Parliamentarians were John Hyde, Jim Carlton, and Peter Shack. It is worth noting that there were few political rewards in terms of preferment for these activists but they changed both Party and country.

When the Coalition lost office in 1983 few expected the new Government to act as it subsequently did. (Did anyone, least of all the Labor Party and the trade union movement) But when Hawke confronted the divisions between capital and labour and sought consensus on new approaches his leadership was an important element in moving the country to a new paradigm. What was remarkable in comparison with today is that the Liberal National Opposition stuck to the broadly dry approach and largely resisted the political temptation to wedge Labor on difficult reforms. Major changes, all of which had substantial elements of interest group opposition, were let through by an Opposition seized by the idea that economic reform was essential.

Of course there was opposition around the edges. We decried the Automotive Industry Authority for example as an unnecessary piece of bureaucracy and Andrew Peacock campaigned effectively in the 1985 election on the basis of the assets test. But what was remarkable was that during years of leadership instability and changes the Opposition consistently stuck to the broad approach to economic policy thrashed out before 1983.

Current and recent oppositions may have set course based on remembering that there were no political rewards for letting a government achieve hard and unpopular reforms. Under both Peacock and Howard in the 1980s the Opposition remained just that, an Opposition. It was an unacknowledged and unrewarded partner in the modernisation of the Australian economy. O'Farrell's blockage while in opposition of electricity privatisation like Abbott's stance on carbon trading contributed to destabilising government with a view to achieving the core aim of winning office.

My view is that on all sides our political leaders sleep well at night believing they are acting with integrity in the circumstances they face. If they have sleepless nights it is more likely about fear of not winning the electoral contest. In the measure of political morality they would give themselves a high mark. But on the Labor side the warnings of such Labor luminaries as Neville Wran, Rodney Cavalier, and Senator John Faulkner about the decline of the party and its purpose as well as the comments of journalists such as Mike Stecketee might give them and their leaders cause to stop and reconsider where their duty to Australia lies. On the Liberal side the warnings of Peter Costello and Peter Reith and sympathetic journalists like Paul Kelly and Dennis Shanahan might have the same effect.

The way we have operated our political system is at the heart of our dissatisfaction with politics and politicians. Without a clear ideology to uphold, without an active citizen based organization to which they are accountable, without a clear personal philosophy which guides and explains the logic of individual decisions, without a consistent policy framework for which you can argue, without competent execution of decisions taken, you arrive at where we are now. For an opposition that presents an opportunity, it can say it is not to blame. But if its opposition is also without policy coherence and the same elements are lacking the risk is coming to government to repeat the errors which gained you government. This is not a risk to politicians alone, much more important it is a risk to all of us.

Australia faces challenges in foreign policy, in the international and national economic circumstances, in the efficiency and adequacy of our taxation system, in maintaining economic stability in a volatile resource environment, in an aging population, in variable weather before even considering climate change, in water and food security, in social

harmony, Indigenous affairs, immigration and refugee policy. Most of these challenges require difficult choices. That requires a society brought to the realisation that those decisions are in the interest of all of us. Does anyone believe that current politics is allowing a civil discourse about these challenges which might permit community understanding to underpin effective government?

I started with a quotation suggesting we should respect the current practitioners of the dark art of politics. I express my respect and indeed thanks to those who take on the task. But the whispering in my heart is captured by another ex politician, Vaclav Havel.

“...in democratic conditions...it is important that politics be more than just a technology of power, but that it provide a genuine service to its citizens, a service that is as disinterested as possible, based on certain ideals, a service that follows the moral order that stands above us , and that takes into account the longer-term interests of the human race and not just appeals to the public at any given moment; it’s a service that resists becoming no more than the interplay of particular interests or pragmatic schemes that ultimately conceal a single aim: to remain in power at all costs. Of course it’s one thing to philosophise independently, just for the sake of it, and something else altogether to achieve things in politics. That I admit. But that doesn’t mean that politics must surrender all its ideals, deny its “heart”, and become a mere self-propelled, technocratic process.”

Current Australian politics is not meeting the demand of Vaclav Havel, that politics must be more than the technology of power. There is a need to define our national purpose, to have a light on the hill. There is a need for a story which explains where all the different policies fit and how they advance the national purpose. There is a need to re-engage the electors by giving them a story about Australia they can believe in.