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7 Reshaping public integrity

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In this chapter I investigate debates over the Howard government's public integrity. Howard critics fear that public integrity has been reshaped or distorted by the Howard government. Three integrity standards I apply here are quite traditional: truth; honesty; and accountability. Each is an important (if debatable) measure of integrity in democratic regimes (Dobel 1999; Montefiore & Vines 1999). While examining the story of integrity under the Howard government, my larger aim is to reshape the intellectual framework for examining debates over any government's public integrity. I assess the details of government performance in the context of the institutional settings that are distinctive to the evolving Australian story of responsible parliamentary government (Uhr 2002). I evaluate competing claims over the government's compliance with standards of truth, honesty and accountability in the context of the Australian setting and the institutional powers and also the institutional constraints facing the fourth Howard government.

Most commentary on Howard and integrity takes integrity as unproblematic and the Howard government as cleverly dishonest, even when talking about the importance of honest government (see for example Gaia 2004; Kelly 2005, 2006; Walter & Strangio 2007: 13–26). In many cases, such a perspective presupposes that conventional standards of public integrity are themselves uncontroversial. I disagree: democratic theory is not quite



Courtesy of Peter Nicholson, *The Australian*, 18 October 2003

as simple as that. To help anchor this analysis, I use 'insider' justifications from prominent Howard minister Tony Abbott whose 'case for the defence' is usually overlooked in assessments by Howard's critics (Abbott 2004, 2007). Although I am not trying to save the Howard government from its many accusers, I am trying to save the accusation itself from some of the worst excesses of the accusers (Kelly 2007). Although one short chapter is not the place for a comprehensive testing of all the relevant evidence, I will draw on the experience of the fourth Howard government to open up a wider debate over appropriate standards of public integrity in contemporary democratic government, internationally as well as in Australia.

Standards of public integrity

This chapter provides a framework which can bring greater discipline, academic and political, to the multiple layers of dispute over the credentials of the fourth Howard government. Many other commentators have marked their scorecards and told their tales about what went right and what went wrong under the watch of this government (Gaia 2004, 2007). To some extent I have already shown my hand in *Terms of Trust: Arguments over Ethics in Australian Government* which was published early in the life of this term of the Howard government (Uhr 2005). This chapter looks back on that early assessment from the luxury

of hindsight, taking account of what came to pass rather than what I or others might have feared or suspected would come to pass.

There are two important things that I find missing from much of the debate over the state of public integrity under this and indeed most other Australian governments. The first is adequately dispassionate treatment of the strengths and weaknesses of Australian structures of national governance relating to institutions of integrity, along the lines of Mulgan (2007). The second is close attention to the government's own defence of its performance in relation to the demands of public integrity, as best we can establish its internal conviction and justification of its own successes and failures. These two issues are closely related. It is possible, for instance, that when we take proper account of the institutional limitations on the free action of an Australian national government that we might begin to pay more credit to governments for the positive things they have done and, just as importantly, impose a lesser penalty on them for the things they have failed to do. Sometimes governments simply do not have the power at their disposal to act as well as they might profess or indeed as badly as they might be tempted to try (Kelly 2005). In conventional social science terms: the degree of *agency* available to a government is dependent on the environment of *structure* around them, parts of which in turn reflect the agency of earlier governments. Indeed, the structures in place at the end of Howard's fourth government include many established through the deliberate agency of that government which provides the institutional environment for the successor government.

When dealing with debates over public integrity, it helps to draw back and try to see things in a larger comparative perspective (Uhr 1998a; Saint-Martin & Thompson 2006; Donovan et al. 2007; Mulgan 2007). I will highlight this situation in three stages, dealing in succession with the three aspects of public integrity conveyed in the title: truth; honesty; and accountability. Each is held to be a fundamental principle or benchmark challenging the best efforts of every democratic government (Dobel 1999). To find that the fourth Howard government 'does not measure up' to the most exacting standards of public integrity might tell us more about the feasibility of our standards than about the performance of the Howard government. But even if we take a strict-compliance line and find worrying shortfalls between international democratic standards and Australian practical performance, it still makes sense to pay attention to the government's own account of its own performance, and to keep ourselves open to persuasion that there were 'good reasons' which explain that performance.

During the period under review, Tony Abbott was the Howard government's Minister for Health and Aging. He was also one of the most spirited defenders of the integrity of the Howard government. Abbott's role in national politics makes him a prominent participant in three important spheres of public integrity. First, as Minister for Health, Abbott weighed into many health policy debates from the perspective of someone with a commitment to strong ethical convictions. He won some and he lost some: the most notable loss being his parliamentary defeat over his attempt to ban medical use of an abortion drug he regarded as socially undesirable. Typical of his resilience was his sponsorship of a fresh national debate over medical ethics, illustrated by his release of the June 2007 report on *Challenging Ethical Issues in Contemporary Research on Human Beings* from the National Health and Medical Research Council. Second, in his role as Leader of the House or Manager of Government Business in the House of Representatives, Abbott orchestrated the government's approach to the tactical side of political ethics, reflected in decisions over the agenda of parliamentary business and the opportunities for non-government participation in the legislative process. This sphere is the world of conventional politics: sharing power and policy responsibility among friends and denying it to one's enemies. Third, and more personally, Abbott carved out a role as public advocate or chief defence counsel for the Howard government, with sustained contributions as a media commentator and speech-maker, reflecting his pre-parliamentary career as a political journalist.

In this third sphere of public advocacy, Abbott provided the classic defence of what he termed 'the moral case for the Howard government' (Abbott 2004). Several features of that defence deserve comment. First, the argument about what he termed 'moral seriousness' is realistic and hard-headed. Abbott used the experience of the Howard government to demonstrate the nature of what he identified as 'moral courage', defined as 'doing what's right when people who should know better declare you're wrong'. Arguing that the Howard government had the courage to take hard decisions across many policy areas (from welfare reform to international security), Abbott defended the honour of his government by noting that 'there is a moral quality to success in a good cause'. Honour is Abbott's standard: the high principle of honour or respect, which can be distinguished from the lesser standard of honesty or honest-dealing. Although this sense of public honour cannot be reduced to the claim that ends justify the means, it does imply that actions, including hard decisions, speak louder than words, particularly moral clichés like 'doing

the right thing'. The first lesson is that Abbott's defence of the integrity of the Howard government lifts the bar from everyday honesty (telling the truth) to exceptional honour (deserving public respect).

Second, Abbott contrasts the public honour of his government with the questionable private honour of those he terms 'the moral guardians' who think that 'the proper role of government is to play the Good Samaritan on an epic scale' (Abbott 2007). The argument here is that the Howard government has been a good government precisely because it has risen above moralism. The Howard government has put orthodoxy (right thinking) to one side and overcome the temptation to apply standardised solutions based on established pieties (such as international norms of good governance). Implied in this defence is the belief that political leadership demands decisiveness rather than dogma, which will eventually be appreciated by a public grateful for a government that takes hard decisions.

Third, Abbott contends that good governments are open-rather than closed-minded: unlike doctrinaire governments, prudent governments are prepared for 'the complexities of command'. They are prepared even to break promises 'if circumstances change in ways that make keeping a commitment wrong'. This train of reflection leads to a series of contrasts between the difficult path of decent government, exercising its flexibilities of command, and the alternative paths advocated by Howard's opponents: variously called 'sanctimonious moral guardians', 'professional fault-finders', and 'the politically correct establishment' (Abbott 2007). Abbott's defence of the morality of the Howard government comes down to this justification of prudence over moralism, of practical political reasoning over abstract theory, and of the ultimate judgment of voters over the sermonising judgment of virtuous commentators. Some might see in Abbott's principled account of the vocation of politics reflections of Max Weber's defence of an 'ethic of responsibility' that celebrates hard decisions to overturn conventional orthodoxy in the gamble that the results will vindicate public support for a government prepared to do 'whatever it takes' under compelling circumstances (Uhr 2006). The record tends to support Abbott: over many elections, Australian voters opted for Howard, consistent with the international standing of Australians as a people prone to give authority the benefit of the doubt and to take the government's word that it can be trusted (Donovan et al. 2007: 102–103).

I will return to Tony Abbott's pleading in the conclusion. In what follows, I engage more with the proposed standards of public integrity than with the alleged performance of the Howard government. I argue that Australian political analysis is weak and misdirected when dealing with debates over

public integrity. My solution is to reconstruct the three core concepts of truth, honesty and accountability by reconnecting them to the discipline of political theory which barely features in Australian political commentary (Uhr 1998b).

Truth

Where better to begin than with the value of truth? Well, possibly quite a few values, including the value of politics (Mulgan 2007: 573–76). I contend that there is something unrealistic about expecting truth in politics. Politics is adversarial, not consensual; political success is manipulated, not peer-reviewed; the determination of party political leadership and the determination of who gets the power to govern are not evidence-based processes. In fact, truth is a comparatively late addition to the standards expected of democratic governments. Classical norms of the best regime like Plato's *Republic* presumed a permanent gulf between the two worlds of truth and politics. Plato's model republic was built on the noble lie between rulers and the ruled, and this lie reflects a fundamental belief that politics can never really be practised on the basis of the open truth. The basic reason is that politics operates in the sphere of loosely informed public opinion which is limited in its epistemic or knowledge-processing capacities.

Can there be truths about political opinion? Sure enough, political theory investigates knowledge about the effective management of public opinion (see Aristotle's *Rhetoric*); but the craft of politics is one of opinion-management, not knowledge-management (see Thucydides' *History*). The public realm is characterised by the reign of opinion which, according to the traditional view found in classical democratic theory, can never really be enlightened by truthfulness. Only approximating the truth are salutary prejudices from below and well-intentioned lies from on high. In ancient political practice as well as in classical political theory, even the best-regulated democracy distinguished between the requirements of truth and politics, with the former belonging to realms of evidence and knowledge and the latter to realms of credibility and trust. Political rulers might indeed owe an account of the justice of their rule to those over whom they ruled, but the classical view of democracy was that political trust and public credibility rather than 'truth' were the real tests of democratic integrity (Uhr 2005: 68–73).

One of the traditional complaints about democracy was that democratic politics was inherently factional, with a wealth of competing sectional or narrow interests threatening to diminish the wider public interest. Those

advocating the revival of republican government in the early modern era had to contend with the prevailing prejudice that classical democracy was at its weakest when tested against its very own republican standards. That is, the 'res publica' was all very well in high theory but the low practice of ancient democracy was more about the power of sectional interests to take turns dominating political life. Factions might proclaim that they were motivated by the public interest but their everyday practice showed that they were not telling the truth but using fancy political rhetoric to disguise their deeper partisan intentions and commitments. Democratic or popular governments are, in effect, governments by the unknowledgeable: but to their credit, the people at least know what they do not know and this explains their willing deference to popular leaders claiming to know the arts of government.

Machiavelli is one of the leading modern revivers of classical republicanism. In his hard-headed realism we get a good glimpse of the perilous place of truth in all governments. *The Prince* has one classic exposition of truth in politics and importantly that is in the context of the problem of flattery (*The Prince*, ch. 23). The situation is not simply that rulers protect their own interests by flattering and appeasing their followers: followers and advisers to rulers also flatter rulers in ways that deny rulers the truth they need to hear if they are to rule effectively. Machiavelli suggests that all rulers, popular and princely, need among their followers a band of frank and fearless advisers prepared to 'speak truth to power' as we have come to call this Machiavellian exception to the rule of protective flattery. Machiavelli sketches an institutional design along the lines of a divide-and-rule model that rulers can use to promote frank and fearless advice among their closest followers. By extension, we can see that Machiavelli's confidence in the modern revival of republicanism rests on the innovation of devices to protect truthfulness, which is one of the first casualties in the war that is politics (Machiavelli 1998).

The original generation of political modernisers, represented by the English theorist Thomas Hobbes, argued in effect that modern political development had to choose between democracy and truth. Hobbes contributed effectively to the case against democracy by drawing attention to the duplicity of ancient democrats and their reliance on forms of political rhetoric that disguised the truth about whose interests were holding sway in the parade of factional cliques featured in the unstable periods of classical democratic rule (Hobbes 1968; Uhr 1998b: 43–47). If truth were a primary requirement of government, then Hobbes' advice was to follow his support for regimes of enlightened despotism where a powerful sovereign could promote the cause of

truth by keeping democrats at a distance and enlisting the growing powers of a modern nation-state, including its truth-discovering instruments of modern science (Hobbes 1968).

Thus one of the great barriers to the revival of the democratic prospect in the modern era was the reputation that ancient democracy had as a forum for liars. Hobbes' contempt for democracy was eventually overtaken by the political philosophy of liberal constitutionalism which recovered truth as an important political standard for public integrity. The model of this more contemporary stance is Immanuel Kant whose refurbishment of republican theory marks the beginnings of the modern liberal-democratic approach to public integrity. Kant sketches an influential model of ethical politics complete with the very model of a modern moral politician: and this normative framework has been explicitly relied on by the most philosophically informed of critics of the Howard government (Kant 1991; Gaita 2004).

In the context of politics, truthfulness refers to disclosure of all that one knows about a subject under question. Open disclosure might or might not be wise, depending on the circumstances. The extent to which one should be truthful in specific circumstances is a matter for judgment. Kant tended to believe that everyone should be truthful at all times, and that only a faulty sense of judgment would give one the confidence or excuse to lie. Kant's classic distinction between the expediency of the 'political moralist' and the integrity of the 'moral politician' turns on this issue of lying (Kant 1991: 116–25). The political moralist acts on the principles that we now know as 'all politics is local', in that success implies truck and trade with local notables. The political moralist complies with the conventional ways of the world, including lying and dishonesty as reliable means to the desirable ends of political success. By contrast, the moral politician adopts Kant's cosmopolitan principles associated with the famous categorical imperative of universal right, based on a model of public integrity that treats all citizens as autonomous legislators in their own right. The ethical obligation that flows from Kant's approach is that public integrity requires, above all else, government commitment to 'the transcendental principle of publicness': in other words, transparent government. Political warfare will begin to cease within and across nations only with the adoption of Kant's modernised republicanism with its fences against the 'despicable tricks' of 'world-wise politicians' with their deceptive 'skill in being all things to all men' (Kant 1991: 125–27).

Where does all of this leave us when examining the public integrity of the fourth Howard government? My analysis shows that truthfulness is not intrinsic to democratic politics and that the requirement for truthfulness is

an external constraint or imposition on democratic politics. Truthfulness is a requirement of external accountability, demanded of executive officials by those politicians (typically non-government politicians, particularly the official opposition) and public institutions (such as the state audit agency and the ombudsman) with distinctive ethical obligations of public scrutiny and accountability. Truthfulness does not come naturally to democratic politics. Democratic integrity demands that executive government comply with standards of truthfulness when responding to demands made by legitimate public agencies in the name of public accountability. Thus truthfulness features in democratic politics as a responsive quality extracted from government when called on to account publicly for their conduct. Truth runs against the grain of democratic, perhaps all, politics. Public integrity therefore requires the imposition of external checks to test government claims against the truth as revealed in government practices (Uhr 1998a: 52–55).

Honesty

Often confused with truthfulness, honesty refers to a separate dimension of integrity (see e.g. Greene & Shugartman 1997). Usually, *truthfulness* becomes an issue of individual ministerial responsibility investigated through accountability mechanisms explicitly established to test the credibility of a suspect minister or ministers or high officials. Typically, *honesty* becomes a general issue of collective ministerial responsibility, investigated at large by a loose coalition of public scrutineers, including many self-appointed scrutineers in the media and civil society. We can make an important distinction: if truthfulness relates closely to the ethics of accountability, then honesty relates closely to the ethics of responsibility. By 'the ethics of responsibility', I mean the ethical standards expected of government when exercising its proactive agenda of policy and program initiative. The concept of 'responsible government' refers to the necessity for initiative and discretion in executive government: that is, executive government that takes responsibility for making decisions about policy and program priorities. Responsible government means that executive officials are expected to exercise their judgment about the relative priority of their governing responsibilities (Uhr 2005: 119–37).

Where does the standard of honesty fit into this picture? Honesty refers to the quality of responsible judgment that governments are expected to exercise when governing. Honesty deals with the *proactive* side of government; accountability deals with the *reactive* world of government. Honesty supplements 'truthfulness' as a measure of public integrity: where

truthfulness highlights the ethics of full disclosure under external scrutiny (by the opposition, by dedicated accountability agencies, by the courts or by media), honesty highlights the ethics of fair play and decency in evidence in the proactive world of responsible discretion required of executive government.

A good example from the fourth Howard government about how honesty played out relates government to the 2007 Haneef affair involving the allegations of terrorism levelled against Dr Mohamed Haneef, the Indian medical doctor who lost his work permit and immigration status (Waterford 2007a). The legal processes of accountability effectively tested the alleged truths conveyed in the government charges, revealing important gaps between the government prosecution and the truth of Haneef's conduct. The case is a good one because it also reveals a disturbing story about government dishonesty. Former prime ministers Whitlam and Fraser used this incident to urge all political parties to comply with stricter standards of ministerial responsibility, even calling for the resignation of Immigration Minister Kevin Andrews (Maley 2007). While the courts and the legal process were sufficient to hold the government accountable for its lack of truthfulness, it took a vigorous media to ferret out the deeper dishonesty revealed in, for example, the minister's justifications for the suspension of Haneef's work visa, and the Attorney-General's justifications for bringing the case in the first place. The standard of dishonesty captures important aspects of defective government integrity that the standard of truthfulness, and its associated accountability agencies, cannot be expected to capture.

Democratic integrity works along both dimensions of democratic government, with the *accountability dimension* dealing with the 'reporting back' by rulers to the ruled; and the *responsibility dimension* dealing with the delegation and exercise of powers by those given governing responsibilities. Democratic integrity refers to the strength of the ethic of accountability as measured by the truthfulness of those providing public accounts, and the strength of the ethic of responsibility as measured by the honesty of those exercising the responsibilities of rule. The truth standard is breached if one holds back or fails to disclose relevant knowledge; truth thus lends itself to a strict-compliance regime of integrity. Honesty brings with it a more subtle and perhaps more tolerant standard. Dishonest conduct captures forms of deceit and manipulation that might be unrelated to outright lying.

In my framework, dishonest government involves the irresponsible use of government powers and this standard has less of a narrow legal character than the truthfulness standard. Both standards, of course, call for careful political judgment about the conduct of government. The honesty standard

is more permissive by giving the government considerable latitude to exercise its discretion and make responsible use of the powers of government, as illustrated by the broad discretionary power on display by the immigration minister in the Hanef case. Whether a government can defend its claims to responsibility depends on its ability to maintain public confidence, which explains why governments spend so much time and energy in persuading the public about the merits of government action: including, one must note, the use of suspect means to promote or advance desirable ends, as with so many domestic episodes in the Howard government's 'war on terror' (Walter & Strangio 2007).

With a lineage as ancient as 'truth', the standard of honesty can be traced back to classical Roman concepts of *honour* and related concepts of decency and fair-dealing. Honesty in government refers to that dimension of public integrity associated with the capacity of public officials for 'being genuine': acting as they should when exercising the powers of government, and therefore complying with their obligations as public servants separate and distinct from their private or partisan interests. If honesty is taken in the conventional sense to mean 'telling the honest truth', then we can expect a repeat of the tensions seen in the place of truth in democratic integrity. But if honesty is taken, as I think it should, to refer to 'acting the honest part' in government, then we begin to see that the standard of honesty has more to do with fulfilling a public role of 'honest broker' rather than complying with abstract standards of full and total truthfulness or transparency or disclosure.

Accountability

Accountability is the testing ground for both truth and honesty (Cohen 2006). For our purposes, we can investigate the ways that various accountability processes have dealt with debates over the truth and honesty of the fourth Howard government. I argue that each of these two integrity standards lends itself to a distinctive form of accountability: truth to narrowly focused legal-institutional processes; and honesty to loosely focused media-political processes. Failures of truthfulness are exposed through disciplined cross-examination before legal and administrative judges; failures of honesty are exposed through the intensity of unwanted scrutiny and publicity. But precisely because the fate of governments depends on sustained public confidence, all governments have an interest in curbing the potential power of accountability agencies. This interest opens up another line of investigation into the ways that the Howard government has managed institutions of accountability

to protect vulnerable interests of the government threatened by opponents.

My approach to public integrity reveals the dual expectations of accountability. Truthfulness and honesty are two of the core standards of democratic integrity, each tested through distinctive processes of accountability. Truthfulness tends to be tested reactively, as for example when government officials are called to account for suspect things they have done. An outstanding example under Howard's fourth government is the Cole inquiry with the rare example of a Prime Minister in the witness box. This mode of accountability displays the strengths and limitations of a legalistic model of accountability. By contrast, honesty tends to be tested proactively, often by the media hunting for scalps on the merest of hints of wrongdoing, as for example when government officials are scrutinised for suspect things they have said or are saying, even though there might not yet be sufficient evidence to marshal legalistic forms of accountability. The political party in opposition tends to favour this mode of accountability because success depends more on securing 'moral convictions' relating to abuse of public trust rather than 'legal convictions' relating to criminal offences. The two modes of accountability often merge. A classic example is when the opposition moves against government ministers for misleading parliament. The rationale for the opposition is not really that ministers have lied (that is, broken the rules) but that ministers have acted in ways that suggest a larger pattern of conduct that is dishonest (that is, broken the trust).

One demanding test of a government's accountability relates to its management of the public account. Two examples of this quite fundamental issue of public accountability increasingly haunted the fourth Howard government. The first example related to the role of the budget bureaucracy in bringing a degree of internal accountability to ministerial decision-making. A flashpoint was the role of Treasury head Dr Ken Henry as a manager of government accountability (Gourley 2007). Frequently over the final months of the fourth Howard government, critics of the government taunted ministers by asking whether this or that policy expenditure initiative, such as the 2007 drought package or the 2007 Northern Territory intervention, had passed 'the Ken Henry test', implying that responsible policy-making required public evidence of prior Treasury approval. Flattering as this might be to professional public servants, Howard government ministers including Treasurer Peter Costello responded that the elected government ministers including with the responsibilities of office and also with the primary burden of public accountability. Readers of Dr Henry's publicly available speeches could see what some of the critics were getting at: that any government can be tempted

to use its powers of the purse in less than fully responsible ways and, further, tempted to ease some of their accountability obligations, especially over public expenditure (see e.g. Henry 2007).

A second example deals with relationships between the Howard government and the Reserve Bank of Australia (RBA). The government went to the 2004 election with promises that it would keep interest rates 'low'. By the time of the 2007 election, the official interest rate had been increased six times by the RBA, including a few weeks before the election. In public debate, the issue became that of the government's accountability for this indicator of alleged economic mismanagement. The government found itself in an accountability dilemma: when rates remained low, the government claimed that it bore primary responsibility for good economic performance because of its commitment to 'taking the hard decisions' (but of course not on interest rates) and so should be rewarded with re-election through the processes of electoral accountability. But as interest rates rose, the government distanced itself from this aspect of accountability by claiming that the rightly independent RBA was responsible for taking the decisions to increase the official rate, which was unwarranted (because electorally unwelcome) in the eyes of the government. So far, so good: but when during the 2007 election campaign Prime Minister Howard said 'sorry' for the final rate increase, critics took this not simply as an acknowledgment of the public pain at rising interest rates. Howard denied that saying 'sorry' amounted to an apology: that would be to concede that the government was accountable for decisions over interest rates. But the 'sorry' did suggest that Howard was reluctantly conceding that the RBA was holding the government accountable for its expansive election-year public expenditure. This accountability dilemma repeated the theme of the Treasury story about the Howard government's uneasiness with the core institutions of financial accountability.

I mentioned at the outset that critics must take into account the institutional setting experienced by Australian governments, which in some ways might raise our expectations of their decency and in other ways might excuse or at least explain their lapses from decency. Time now for an example relating to *political* rather than *financial* accountability. The Howard government's remarkable Senate majority won at the 2004 election paved the way for a fundamental alteration of the institutional management of government accountability. The standard default position since the early 1980s is that elected governments do not win Senate majorities. Small as this limitation on power might seem, it helps explain some of the limited

ambition of many Australian national governments, which knew that they would never have the total parliamentary power required to transform Australian politics and public policy. Federalism sits in the background of the Senate scene and provides much of the institutional logic behind the system of Australian governance. But this same set of 'veto powers' wielded by non-government interests in either the Senate or by state governments also helps explain another limitation: the limited capacity for irresponsible government decision-making. Under standard conditions, not experienced for much of the fourth Howard government, Australian national governments cannot be as good or as bad as their inclinations might suggest (Uhr 2005; Walter & Strangio 2007).

The default position of limited parliamentary power might soon return. But the window of rare opportunity of total parliamentary power won by the Howard government at the 2004 election redrew the map of public accountability. Truth and honesty faced their severest tests: truth found itself untested by the scrutiny of non-government mechanisms of parliamentary accountability; and honesty found itself tested by the temptations to use, or to misuse or even to abuse, the new parliamentary powers with irresponsible ease. To repeat earlier qualifications: not all commentators are convinced that the fourth Howard government failed the fundamental tests of truth and honesty (Kelly 2005, 2006). But many commentators provide credible evidence that is not easily rebutted. For example, the case for the Howard government's evasion of parliamentary accountability is made by Harry Evans (Evans 2006, 2007). The case about the Howard government's dishonest misuse and abuse of its governing responsibilities is made with vigour by Gaita (2007) and is also canvassed in chapter 5 in this volume.

Conclusion

I have argued that the fourth Howard government strayed too far from desirable standards of truth, honesty and accountability. But I have also argued that Australian political debate over issues of public integrity itself lacks a degree of analytical integrity. I have used Tony Abbott's defence of the Howard government as a useful way of opening up the governance narrative preferred by Howard ministers. Like many of the Howard critics, I do not find Abbott's advocacy convincing. Unlike many of those critics, however, I find Abbott's advocacy useful in forcing us to rethink the standards of public integrity relevant to debates over truth, honesty and accountability.

in democratic government. The important lesson is that critics, no less than governments, must measure up to standards of integrity, and that we analysts and commentators still have some learning to do in relation to the nature of those standards.

Public judgments about a government's truth, honesty and accountability all turn on access to relevant information, particularly government information. The non-government organisation known as Australia's Right to Know drove home the policy limitations on freedom of information in Australia in a major report released during the 2007 election campaign (Moss 2007). Described as 'an independent audit of the state of free speech in Australia', this report identified significant structural defects in the access-to-information regime. For example, the report found 'mounting evidence that the lure of political advantage increasingly trumps principles of democratic transparency when governments decide to withhold or bias the release of information' (Moss 2007; Mulgan 2007: 581–83). This situation relates not only to ministerial control over the bureaucracy but also to the ministry's own management of media conferences, which have 'become worse under the Howard Government' (Moss 2007: ii; Walter & Strangio 2007: 61–62). And what of those government employees attempting to use 'public-interest disclosures' to get around rigidities in the access system? The report singled out the commonwealth government for its 'dogged refusal to provide substantial legislative protections to whistleblowers' (Moss 2007 iv; Waterford 2007b). Without access to government information, accountability agencies have to take the government on trust, which has steadily proven to be a very weak accountability option.

What of the view from within government, again taking Tony Abbott as our representative voice? In the months leading up to the 2007 election, Abbott spoke about the disconnect between what he termed 'good government' under Howard and the increasingly disenchanted electorate (Abbott 2007). He offered this trend as one provocative defence of the Howard government: that under its reign Morgan poll ratings for politicians' ethics and honesty had doubled, from a low base of 9 per cent to nearly 20 per cent. The implication was that the former Hawke and Keating governments had driven down public respect for the ethics of politicians, and that the Howard government had restored honour to what he interestingly termed 'the vocation of politics'. Of course, Abbott's political opponents could just as easily explain this rise in ratings by reference to the steady spread of Labor governments across the federation (see Bean & Denmark 2007). But Abbott seemed to sense a low ceiling in public respect for political ethics. Contrasting the hard grind of

ministerial life with 'the Truman Show confessions' of Rudd's early leadership, Abbott recorded his dismay at 'the popular impression that most politicians are essentially fakes'. This is a revealing line from a governing minister operating in a political culture that has historically deferred to authority and taken the government's own 'terms of trust' as agreeable terms on which to do business (Uhr 2005: 27–31; Donovan et al. 2007).

Admittedly, even political fakes pay attention to the appearance of ethics. Trying to overcome sustained public cynicism about politics, Abbott reiterated his theme of the moral case for the Howard government reflecting that government's history of 'making hard choices between unpalatable alternatives' (Abbott 2007). A trustworthy government is not necessarily one that professes its purity or harps on its honesty; instead, it is one that uses public power for worthy public ends, even if this means adapting to changing circumstances rather than adhering to outmoded promises. Over many elections, Australian voters seemed to have understood this nice ethical distinction between decent and dogmatic government. But in the approach of the 2007 election, Abbott drew attention to the spreading public distrust of politics generally by opinion leaders in civil society. To Abbott, what was wrong with this impression was 'the tendency to assume the moral equivalence of both sides of politics without any careful study of the evidence' (Abbott 2007).

In this chapter, I have tried to do as Abbott suggests and carefully study the evidence, especially the evidence about appropriate standards of ethics and integrity in Australian politics. Of course, Australian politics are not so dissimilar from politics in other parliamentary democracies and we can learn much from the experience of political analysts in many other comparable countries. For instance, Greene and Shugarman provide a valuable Canadian model of how to investigate and also promote public integrity (Greene & Shugarman 1997). By comparison, Australian political analysis is rudimentary in much of its investigation of public integrity. This chapter has tried to illustrate a more demanding approach that blends appropriate political theory with case analysis. The purpose here has not been limited to assessing the integrity of the Howard government. The larger purpose has been to reshape conventional models of public integrity in light of neglected aspects of democratic theory (Uhr 1998a, 1998b). The fact that my examination rests on allegations of clever political deception by the Howard government is not the most important matter, when we see that these allegations stimulate us to step outside the conventional debate and try to identify more robust criteria for evaluating democratic integrity.

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