

It's hard for voters to trust leaders who won't promise true integrity

November 28 2014, by Colleen Lewis

The Accountability Round Table (ART), a non-partisan organisation, [wrote](#) to the three major political parties two months ago seeking their position on three important arms of Victoria's integrity system: Freedom of Information, the Independent Broad-Based Anti-Corruption Commission, and political donations.

While the [responses](#) promised to remedy shortcomings, in several areas they fall well short of [what is required](#) to ensure transparent and accountable government.

One could be forgiven for thinking that successive governments imagine they are doing the community a favour if they agree to deliver, in an incremental fashion, modicums of accountability and transparency. Well, they aren't, and voters are acutely aware of this.

We elect people to represent our interests, not their individual interests or the interests of their party machine. Our taxes pay the wages of our elected representatives and contribute, in part, to the [bank accounts](#) of political parties. We contribute to the latter because under Victoria's [political funding rules](#), taxpayers give A\$1.20 (adjusted for inflation) for every first-preference vote a party receives. There is a 4% eligibility requirement.

If for no other reason (and there are others), paying taxes gives us the right to know not just about the decisions made in our name, but also the processes that led to those decisions. In exchange for taxes paid, we are

asking for greater transparency and accountability on public sector matters. That includes government-business relations that involve the spending of taxpayers' dollars.

Secrecy leads to corruption

We are asking this for a very simple reason: transparency and accountability matter. They matter to the ethical health of Victoria and every other state. They matter to the [functioning of our democracy](#).

Transparency and accountability are the cornerstones of a democratic political system; they distinguish it from dictatorships and totalitarian regimes. They matter, too, for economic growth, which is needed to meet the social needs of Victorians.

And, of course, they matter to voters. Transparency and accountability lift the veils of secrecy that shroud many aspects of government and public sector decision-making. Unless the veils are lifted, voters cannot make an informed choice.

To return to the issue of economic growth, profit is not a dirty word. However, the means by which it is obtained can be dirty. Secrecy leads to corruption; it is a fertiliser for corrupt practices. Extensive [research](#) confirms the strong connection between secrecy and corruption.

To ensure that we don't reach a point where unethical, even illegal, means are used to achieve ends that benefit the few and disadvantage the many, Victoria's integrity regime needs to be strengthened. The refusal by successive governments to do this explains, in part, the fundamental lack of trust the community has in members of parliament, political parties and the political system.

We need to be able to trust them all to deliver fair outcomes for all

citizens. Having trust does not mean that all members of the community will agree with all government decisions. But if they trust the people making the decision, and the processes used to arrive at that decision are transparent, people are much more likely to understand the reasoning behind a policy and perhaps accept why it has to be so.

The electorate does not speak with one voice. Voters' wants and demands are contested public policy areas. For example, at this election, people differ on: whether they want the [East-West Link](#) to be built; how government should go about improving the education and health systems; and what are the best ways to deliver economic growth, tackle climate change and reduce crime. MPs and the governments they form have to thread their way through the minefield of public opinion.

But one area is largely uncontested: the need for greater transparency and accountability.

Public united on need for open and honest government

I feel confident that any poll that asked the electorate, "Do you want the government you elect to be open and honest with the people they represent, to be transparent in their actions and accountable for them?", would receive an overwhelming "yes" response. I say this because I can't recall any group of people coming together to campaign for less transparent, more unaccountable government.

If promising a more secretive state was a vote winner, the leaders of the major political parties would have announced it at their campaign launches. They would have issued press releases guaranteeing, first, that IBAC will continue to operate with one hand tied behind its back; second, that Victoria will never adopt the Queensland ["right to know"](#)

[approach](#) to Freedom of Information; third, that members of the parliamentary wing of political parties vow never to have open and continuous political donation laws; and, fourth, that the Auditor-General's office will continue to operate with the same inadequate [legislation that has hampered it for years](#).

In other words, MPs and [political parties](#) would give a core, written-down, unconditional promise that symbolic politics, which pays lip service to transparent and accountable government, will remain for the next four years. No MP or political party ever utters such words and for a very good reason: it would be political suicide.

So why do they continue to ignore reasoned arguments for greater transparency and accountability, especially when their doing so is contributing significantly to the lack of trust people have in MPs and governments? This, in turn, is starting to negatively affect people's belief and trust in the political system.

MPs and the governments they form need to remember that people do not vote them into office to do what is in MPs' personal or party-political interests. They are our elected representatives and therefore their decisions must align with the public good. But this is not happening to the degree it should in Victoria and beyond.

Breach of trust is poisoning our democracy

People's opinions of their elected representatives are transforming from healthy scepticism into harsh cynicism. Unless we can find a way to break the potentially poisonous circle of mistrust, public disdain will escalate and ultimately infect the health of the institutions that form the foundation and framework of our democracy.

It is worth recalling the words of former Chief Justice of the High Court,

Sir Gerard Brennan, at the [presentation](#) of the ART's 2013 Integrity Awards and of Raimond Gaita in his 2004 [Quarterly Essay](#), Breach of Trust: Truth, Morality and Politics.

Sir Gerard raised the [public trust](#)-fiduciary duty principle, which goes to the heart of restoring the community's faith in our MPs, governments and the democratic political system. As he explained:

It has long been an established legal principle that a member of Parliament holds a fiduciary relation toward the public and undertakes and has imposed upon him a public duty and a public trust. The duties of a public trustee are not identical with the duties of a private trustee, but there is an analogous limitation imposed on the conduct of the trustee in both categories. The limitation demands that all decisions and exercises of power be taken in the interests of the beneficiaries and that duty cannot be subordinated to, or qualified by, the interests of the trustee.

Gaita's arguments are perhaps even more pertinent today than they were 10 years ago. He wrote:

To trust someone, you must do more than believe him. You must believe in him. You must believe that he is essentially truthful.

Gaita observed that there needs to be a "moral dimension" to government policies. How strong is the "moral dimension" of the policies that constitute Victoria's integrity regime? When held up to Sir Gerard's and Gaita's mirror, the words that come to mind are hazy and distorted.

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