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## Parliamentary Ethics and Accountability A Code of Conduct for Parliament

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To the:

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*“I reject the cynical view that politics is inevitably, or even usually a dirty business”*

Richard Nixon (1973)

*“Most laws are forged of compromise, bribery and arm-twisting. This is why Bismarck likened them to sausages: it is better not to see them being made”*

*The Economist* 22 February 2003

There is a universal crisis in affection for and participation in democratic institutions. I draw upon 16 years as an elected representative, 10 years working with the Parliamentarians for Global Action, my perspective as Assistant Speaker and my promulgation of a Code of Conduct to propose that Bismarck was wrong. The community must be involved in discussion and delivery of the values which a I discuss the rationale, substance and prospects for the Code of Conduct as part of a programme to re-establish trust between the leaders and the led. Codes of Conduct are only the beginning of an ongoing dialogue among us all and with our communities aimed at improving our quality of living.

It is a privilege to present this paper as we consider how to repair the rent between the leaders and the led in democracies throughout our world. Distrust of and despair in democracy are widespread and addictive, and lead to vicious circles of cynicism seen as a universal picture of low voter turnout, low participation in political processes and low approval ratings for politicians.

The great value of this seminar is to share the questions that we have asked, and to extend our understanding of human nature. Is our conception of human nature more Machiavelli or Mahatma Gandhi? Do we subscribe to the misreading of Adam Smith in planning our economies – i.e. ‘selfishness and scarcity’ or more realistically upon ‘community and abundance’? What is our philosophy of

leadership? The answers to each of these questions will give us very different perspectives on the path to take.

What are we doing to communicate our vision and values with our electorates? What is our relationship with the media? The media in many cases shares the basement of public affection with us, and sells most of its advertising by attacking us. We must overcome the democratic deficit, for today we face the prospect that democracies will fall apart because we do not sustain a truthful relationship with our electors and our ecosystems.

Honesty means being at one with ourselves as individuals with a sense of integrity. The model of integrity of individuals that I use is the Maori *whare* (meaning House). The architecture for living combines spiritual (service), emotional (courage), intellectual (communication), and physical (reality) dimensions.

Honesty means being at one with and sustaining the integrity of our families and community –which literally means ‘together we serve’; at one with other ethnic groups for as the Ancient Sanskrit informs us “Walk together talk together O ye people of the earth, then and only then shall ye have peace”.

It also accords with the word graven on the Mace of the Scottish Parliament - Integrity. Today we are united in our resolve to reinforce the integrity of the relationship between parliamentarians and the people.

Philosophers tell us through the ages that we see the world as we are, not as it is; the Ancient Tibetans advise that if I point one finger at you I point three at me. This leads us to think of the four pillars of leadership development: know thyself, know thy times, know thy team (community) and identify tasks worthy of greatness. If we get these things right then positive results accrue.

New Zealand has been at the forefront of many experiments in parliamentary democracy: a founding document that sets out the rights and responsibilities of the colonising and the indigenous communities; a system of national parks; the welfare state; enfranchising women; labour reform; the founding of the United Nations; we are pioneering social performance indicators to audit the effectiveness of policy; and the rapid liberalisation of economic fundamentals for a highly protected regime in 1984, to one of the most liberal and open economies by 1987.

One of my former parliamentary colleagues Mike Moore served at the forefront of ensuring freedom and fairness in international commerce as the Director General of the WTO. Another, Don McKinnon is the current Secretary General of the Commonwealth.

Upon assuming office in 1999, my Labour government declared in the opening parliamentary declaration that we would work to improve the affection for and participation in political processes. Concurrent with our election there was a referendum which indicated the popular displeasure with parliamentarians – the people overwhelmingly voted to reduce the number of parliamentarians by almost 20%.

In 1957 the New York-based encyclopaedia *Richards Topical* presented New Zealand as the best-governed nation in the world, a model for all others to follow. Then 25% of the electoral roll were members of a political party; today it is 2.5%. Nagel et al (1998) report 33% of voters were confident in politicians in 1975, 4% in 1992; with respect to political efficacy on a 6 point scale in 1963 39% scored at the top and none at the bottom, by 1990, 13% at the top and 39% at the bottom. Voter turnout has dwindled from 86% in 1984 to 76% in 1990. 'Did not vote' finished second to the government in 2002.

This is part of a universal picture of dissatisfaction directed at democratic representatives and the determination of our colleagues to follow the sage advice "I saw a problem and I thought that somebody should do something about it, then I realised *I AM somebody*".

The widespread and authoritative calls for substantial improvement in leadership theory and practice are matched by despair at extant leadership performance. (Harvard University's) Nye *et al* (1997) from the Kennedy School of Government entitle a provocative collection of articles "Why People Don't Trust Government". Their colleagues Putnam *et al* (2000) cite an almost universal decline in political confidence among trilateral democracies. They also note that of 14 countries surveyed, 11 evinced sharp decline of confidence in parliament. Similar declines were reported for confidence in armed services, the police, the judiciary and the civil service. Voter turnout has declined in 16 of 18 national legislatures.

Both Kennedy Cabinet Member Harlan Cleveland in his recent book (2002) and Vladimir Putin's senior advisor Sergei Karaganov (2000) challenge us with the sense that we live in a 'no one is in control' world. In a small economy (GDP = \$US100B) like New Zealand we are sensitive to international influences like the 28% depreciation of the US dollar against our unit over a year. Substantial global issues over which local legislatures seem powerless to control are adding to the sense of opprobrium for representatives.

U.S. Presidential elections usually attract 50% of those eligible to vote, and studies show that the victor is uniformly the one who has spent more money. The outcome of these elections has crucial implications for the 5.75 billion people in the world who are not US citizens, and they deserve better.

There have been many attempts to improve the situation: Vicente Fox when Governor of Guadalajara in 1996 (at the State of the World Forum) sneered 'governments of the globe either are not or should not be trusted.' He set out to do a better job handpicking a coalition of talents to recoup credibility only to be denounced. At the midterm point 'he has little to show for his presidency' (Economist 6 December 2003 p38).

The charismatic internationalist Andreas Pastrana campaigned for the Presidency of Colombia by decrying 'politicians live in a world of lies.' We must keep to the path with "first rate knowledge and moral integrity". Echoing Mr Fox, he said, "we must select the best people". There are seven rungs of morality to

climb to “promote mutual respect, understanding, courage and love”. He lasted a term before placing himself in self-imposed exile in Spain.

South Africa: (Today 27 April is the national day of the Rainbow nation) The first Parliamentary Bulletin (Volume 1 Number 1, 12 August 1996) of the ruling ANC announced the promulgation of a Code of Conduct as a way of sustaining the great release from Apartheid. It sought to improve the attitudes to and behaviour of parliamentarians. The great faith seems to have fizzled. Today only half of their 7 million eligible voters have enrolled for the imminent election.

Australia: Dr Andrew Brien’s recommendation for A Code of Conduct (14 September 1998) noted that: Trust is at an all time low, Politicians Fall To Low Levels Of Honesty and Ethics - Only Car Salesmen Rate Lower. ‘Car salesmen’ was the epithet levelled by Dr Hans Blix against Messrs Bush and Blair over Iraq.

Other observers (e.g. business leader and long time civil servant John Menadue, Australia) decry the trivialisation of politics; the dumbing down of political discourse in the UK, the USA and Australia. The national referendum on whether Australia should become a republic was likely lost because the head of state would be selected by politicians – adding another level of possible snout in the trough corruption. Membership of the Australian Labour Party has dropped from 300,000 in 1945 to 19,000 today.

Despite our best intentions our efforts to improve the perception of our quality as effective agents can be cruelly curtailed. The revelations of former Leader of the British House Robin Cook damage us all. It adds to the failure of John Major’s Back to Basics and the assessments of veteran interviewers who feel that all politicians deceive.

Faced with this complexity I researched and produced a modest Code of Conduct to set out simple standards of behaviour in the New Zealand House of Representatives. I want my profession to be seen as role models who lead by example rather than canard, fear or false promises. I promote principles of common courtesy and decency whilst sustaining the sense of cut and thrust that is vital in any House at the fertile cutting edge of ideas creation and consideration.

It is a modest beginning; declaratory rather than mandatory. The guiding principles are selflessness, integrity, accountability, honesty and leadership. Our first step is to improve the public perception of the debating chamber, the most public precinct in the House, thus signifying that our actions symbolise integrity.

By beginning simply and not sanctimoniously we recognise that most members are hardworking and sincere. The future of the parliamentary system is in their hands and we want a document that those hands can mould in harmony with the community. As the Ancient Lao Tse reminds, “of the best leaders they say, we did it ourselves”.