

Whistleblowing: Lying For Your Country

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One thing that any savvy citizen *thinks* they know about diplomats is that ‘an ambassador is an honest man sent to lie abroad for their country.’ Perhaps many who use the saying don’t know how old it is — it was first written by [Sir Henry Wotton](#), an English diplomat of the early 17th century.

Wotton’s rash (and originally private) comment about lying for one’s country was already a piece of facile cynicism when he wrote it. He fell into disgrace when it was publicised in 1611, leaving him without diplomatic work for some years. Perhaps things have moved on since then.

It would be strange indeed if diplomacy were the only part of governance that had not changed in the intervening centuries. Among other things, since Wotton’s time, we have seen the empowerment of Parliament, the development of conventions for responsible government, the enfranchisement of the masses, mass communication, and an impartial and apolitical public service.

Progress continues even in our own lifetime. In fact, today, unlike 10 years ago, Australian diplomats have the same legal obligations for honesty and integrity as any other public servant. But there can be profound informal pressures otherwise — comparable to or perhaps even more so than in domestic portfolios. An example from my own experience is illustrative.

In 2005, while I was employed as the head of the Australian aid program in East Timor, the Minister for Foreign Affairs (who is responsible for AusAID as well as DFAT) decided that the Commonwealth should break an overseas aid contract with the East Timorese human rights NGO Forum Tau Matan. The contract was for \$65,830, none of which had been paid at that time — a tiny amount for AusAID, but a very big sum for an East Timorese NGO.

There was discussion within the public service over what the NGO should be told. The decision to break the contract was based on the recently discovered fact that, in 2004, Forum Tau Matan had been [one of 12 NGOs](#) to sign a statement critical of the Australian Government — which, in its strongest comment, accused the Government of ‘stealing natural resources that rightfully belong to’ East Timor.

There could have been political repercussions — in East Timor and Australia — if it were widely known that the contract was broken because of this political criticism. And it was clear that the problem would not be confined to one instance — other NGOs that had signed the same statement were unlikely to receive funding from our grants schemes, at least for the immediate future.

I was pressured by some individuals, orally and in writing, to provide false reasons to Forum Tau Matan, and to — in effect — maintain a secret blacklist as the basis for future funding decisions.

The apparent aim of this pressure was to reduce embarrassment to Australia (or to the Australian Government) from the true reasons emerging. When I objected on the grounds of the honesty requirements in the Australian Public Service (APS) Code of Conduct and the general principles of administrative and financial management transparency — not to mention the Administrative Decisions (Judicial Review) and the Financial Management and Accountability Acts — I was urged in writing not to raise the Code of Conduct in the discussions.

One justification I was given for hiding the truth from Forum Tau Matan wrongly compared the issue with the legal obligation to hide the activities of the Australian intelligence community. Another person suggested that refusing to fund NGOs that had signed the statement could be explained misleadingly in the same way that politically unacceptable applicants are apparently routinely (illegally) excluded from APS staff selection processes. Both these inappropriate arguments strike me as indicative of a culture of deception and as a rationalisation for politicisation.

I stuck to my guns and, in the end, told Forum Tau Matan the [truth](#), with the support of DFAT and AusAID. Other NGOs that had grant proposals knocked back on the same basis have likewise been told the truth.

Because of complaints I had made during these events under the protection of section 16 of the Public Service Act ('Whistleblowing'), a preliminary assessment was held by DFAT of my claims that I had been pressured to lie. The assessment seemed to agree with me that lying or keeping a secret blacklist would have [been wrong](#). Incidentally, it also found that no breach of the Code of Conduct had been made by any of the officers I had named; that only discussions of a preliminary and exploratory nature had taken place.

Back to Wotton, and the general principle of lying abroad. Was I naïve and wrong to dig my heels in? Should lying on such matters be acceptable or even routine, when national or Party-political embarrassment (even trivially) might ensue if the truth behind a decision were known? Let's be frank, many people think so and take Wotton's aphorism as a serious statement of the role of diplomats.



The rise of instantaneous global communication over the past 150 years has had a dramatic impact on the role of diplomats. Diplomats no longer hold any significant discretionary power as all significant decisions can be referred to home for instructions. Their public comments are as likely to be scrutinised by the voters at home as in their host country, and any differentiation from non-diplomatic public servants has become fairly arbitrary.

The rise of mass opinion about international affairs from the late 19th century has also been significant in redefining the role of diplomats. Since diplomacy became part of democratic domestic politics, any lying has been more likely to be at home. Such lies are to appease public opinion (whether it be belligerent nationalism or human rights-oriented globalism) rather than other diplomats. The modern pattern of deceit in diplomacy in some countries — seen, for example, in the build-up to the Vietnam or Iraq wars — has tended to reserve lying and partial truths for domestic constituencies.

Are diplomats then no different from domestic public servants? (Perhaps we should call them ‘domestic servants’?)

Today, diplomats are legally just a sub-species of *Homo public-servantus*, but this is a relatively recent development. In Australia, until the Howard Government proposed and Parliament passed the new Public Service Act in 1999, Ambassadors and High Commissioners were not public servants. They were officers of the Crown who had to take leave from the public service for their period as a Head of Mission.

An incongruous part of the 1999 Public Service Act allows the appointment of Heads of Mission to remain exempt from the normal meritocratic procedures of the public service. Ambassadors and High Commissioners are the only Australian public servants that can be chosen by means of ‘favouritism or patronage,’ an odd, last, little remnant of the glory days of corruption and incompetence. But once they are appointed, there is no ambiguity — all Australian diplomats, even Heads of Mission, are public servants and are bound by the [APS Values](#) and Code of Conduct.

Many senior diplomats have publicly disputed the archaic ‘lie abroad for their country’ wisdom, maintaining that good diplomacy is based on frankness and trust. The ineffectiveness of lying in diplomacy is one good reason for honesty, but more important is the corrosive impact lying by any public servant has on democracy at home. Any international case of political interest has the potential to become a domestic political matter, and if we were to accept State-sponsored lying overseas, who is to draw the line between lying for one’s country and lying for the political Party that happens to be in power?

Politicisation of the public service looms as a real danger.

The temptations for even apolitical public servants to hide or amend the truth for the governing political Party are enormous. Accordingly, much of our governance tradition is built around safeguarding honesty and accountability. This is to allow Parliament to hold the Executive responsible for the actions of the Crown; and electors to choose the Parliament they want based on genuine information. Any corrosion of public servants' honesty threatens the very basis of our democracy and needs to be fought, tooth and nail.

Unfortunately, declining public trust in government shows that perceptions of dishonesty and corruption — by both public servants and politicians — are widespread and growing.

In my own experience, insisting on honesty can be stressful and have significant material and emotional costs. Yet, while there has been argument about the facts of my case (for instance, was there pressure or just 'preliminary exploratory discussions'? was I retaliated against by individuals or not?), it has been reassuring that, when I stood up for honesty and the matter was taken to senior levels for serious consideration, the system did the right thing on truth.

Lying is not acceptable; the requirements for honesty and integrity laid out by law in the APS Code of Conduct are there for a reason and they need to be taken seriously.

Interestingly, another, less well known of Wotton's sayings was 'tell the truth and so puzzle and confound your adversaries.' Perhaps people should pay more attention to that one.

About the author

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