

The Ethics Of Political Communication

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Working in the PR Industry, it is apparent that two issues have had an overwhelming influence on how people view professional communicators – especially those working in a political environment – lobbying sleaze and the role of spin doctors.

Both have much wider public policy implications because they appear to be at the heart of the relationship between Government and its stakeholders.

What I would like to do is to look at two case studies. The first is the circumstances surrounding the planned regulation of lobbyists within the Scottish Parliament, the second the role of so-called spin doctors at Westminster – although in the latter case, I am conscious that we are now told by Peter Mandelson himself that the age of spin is past. Looking at the lessons of these I will identify some pointers for an ethical framework for political communication.

My general argument is that any consideration of the ethics of how people lobby or communicate cannot be confined simply to how one group of people try to influence another. Today's political landscape, whether in Scotland, the UK or Europe is infinitely more complicated. It involves a complex interplay of interests where it is no longer possible to clearly identify different types of lobbyists – or even the lobbyists from the lobbied.

Equally, it's not always apparent who is spinning what to whom. If spin is the art of presenting an argument in the most favourable way there is no reason why special advisors alone should be stuck with this tag. It is, after all, carried out by people in all sectors.

I will conclude with some modest proposals for how both communications professionals and Government can help to enhance public confidence in political communication.

But let's start with the Scottish Parliament. The Consultative Steering group that set up the Scottish Parliament took the view that there should be no regulation of lobbyists as to do so would confer a special status. The emphasis was on a Parliament that was open and accessible.

But then concerns emerged. Allegations were made that members of the PR firm Beattie Media could offer preferential access to ministers. These resulted from a sting by the Observer where Kevin Reid, son of the then Secretary of State for Scotland John Reid, was secretly recorded along with colleagues from Beattie Media. The allegations were not proved but the incident caused ripples because it threatened to undermine the spirit of openness and transparency to which the Scottish Parliament aspired.

It followed the much publicised Drapergate affair in June 1998, where Derek Draper, a London based public affairs consultant, was subject to a similar sting. He was caught boasting about his access to Downing Street and the Treasury.

So the notion of lobbying sleaze, the media concluded, could be equally at home in Holyrood as it is in Westminster. Although only a perception, the Standards Committee of the Scottish Parliament set about addressing it.

It drew up proposals that sought to regulate lobbying by requiring what it described as commercial lobbyists to register.

Lobbying was defined as

“The representation of organised interests of MSPs by the interested parties themselves, or the professional representation of organised interests by a third party, with the intention of influencing the actions of MSPs.”

As the consultation process moved on the focus increasingly shifted to what the committee described as commercial lobbyists. Those lobbying for a third party would be required to disclose information about who they were working for, what they were lobbying on, how much they were being paid and the techniques being used.

The definition of lobbying was also extended to include the provision of information and advice about the workings of the Scottish Parliament.

As far as the IPR was concerned we had two main complaints. Firstly, there was no level playing field. In our view, any system of regulation should be applied equally. Requiring people campaigning for one position to disclose information that you would not require of others is not equitable. We also took the view that extending the definition of the word lobbying to include information and advice was a potential breach of confidentiality. Indeed along with the Public Relations Consultants Association we offered counsel's opinion that indicated that it was a potential breach of the European Convention of Human Rights.

In the end the committee proposed a rather milder scheme which simply required consultants to register who they were and who they were working for.

I have described the process really to show how the Standards Committee missed the broader picture about how political communication works. Their approach hinged on the rather simplistic idea that there were numbers of commercial lobbyists for hire who would wander round trying to fix MSPs in corners and try to persuade them of their client's opinion.

In fact the evidence points to the contrary. The Scottish Parliament's own research indicated that less than half of MSPs had ever been lobbied by a commercial lobbyist.

Other research indicated that most businesses did not really think that the Parliament impacted on them. As a PR consultant it is certainly not always easy to persuade clients of the value of communicating with the Scottish Parliament when most aspects of business regulation remain reserved to Westminster.

So was this a case of MSPs overplaying their hand, perhaps in the thought that they are more attractive lobbying targets than the evidence suggests?

No, it is more a matter that the communication process is much more complex than simply party A lobbying party B – with or without third party help. The high profile campaigns we have seen on issues such as Section 28 and fox hunting used a huge variety of communications channels including the media, advertising and even a referendum. They involved a wide range of organisations with MSPs themselves on both sides. They do not fit the simple lobbying model put forward by the committee.

Furthermore, large commercial organisations more often than not find themselves the object of lobbying as much as the other way round. We find some agencies of Government lobbying other agencies. We find many communication initiatives not based on persuasive communication at all but based on a desire to gather intelligence or to inform or consult. Many companies approach communication with politicians from the standpoint of accountability – that it is socially responsible to involve and consult political representatives. This open and dynamic interplay of interests where the lobbyists and the lobbied may change roles is of course entirely healthy and reflects a strong and politically vibrant society

The point I am making is that it is fruitless to focus on the regulation of lobbying alone when lobbying of elected representatives is only one part of a bigger picture involving the ethics of political and corporate communication.

Before I come back to this point let's leave Scotland now and look at another issue related to the ethics of political communication and one that has been a matter of much concern for the public relations community – the 'spin doctor'

My starting point for this section on a brief history of spin is a Tony Benn quote: 'We should put the spin-doctors in the spin clinics, where they can meet other spin patients and be treated by spin consultants. Then the rest of us can get on with the proper democratic process.'

As with lobbying, this stereotypical view fails to address the reality of a complex political landscape – although it has to be said it has widespread currency in the media.

Like it or not, the role of politicians, the expectations of the electorate and the role of communications in the political process have all changed radically.

The reality is that, as with politicians, spin-doctors are forced into existence because there is no such thing as objective truth. As our company slogan once said "perceptions are facts because people believe them".

The modern term 'spin-doctor' was first used in the New York Times during the 1984 US Presidential election when Reagan's advisers were observed during daily media briefings. They arrived carrying brief cases (hence the association with the traditional image of carpet-bagging doctors of the mid-West) and they worked the room (back and side-ways: spinning), while giving rapid-fire answers to the jostling reporters.

The Oxford English Dictionary now defines a spin-doctor as ‘a spokesperson for a political party or politician employed to give a favourable interpretation of events to the media’.

The term has also conveniently come to be understood as an amalgam of ‘spin’ – to place a slant on events – and ‘doctor’ in the pejorative sense of patching-up, falsifying and manipulating. And unfortunately there are too many examples to corroborate the derogatory and sinister interpretation of what is now regarded as the “black art of spin”.

Several key events and associations in recent British political history show how spin and communications have become inextricably tied to unethical practice in one spun out sorry mess.

First, the handling of the Hamilton-Al-Fayed cash for parliamentary questions affair of 1994 is significant in that it led to the creation by John Major in 1996 of the Committee on Standards in Public Life under the Chairmanship of Lord Neill of Bladen.

Sleaze allegations – impacting on the integrity of the communication process itself - riddled not just the remaining days of the outgoing Major government of the mid-1990s but also the credibility of British Parliamentary democracy.

So with the promise of a new dawn, New Labour was elected to government in 1997 with a landslide majority of 179 and a pledge to (and I quote from the manifesto) ‘clean up politics, decentralise political power throughout the United Kingdom and put the funding of political parties on a proper and accountable basis’.

Yet just three months into government amid allegations of impropriety regarding their tobacco advertising policy the Committee on Standards in Public Life ordered New Labour to return the £1million donation made to the party by the Formula 1 boss Bernie Ecclestone.

Although as New Labour’s former Head of Communications, Mandelson is widely accredited with being the chief architect of Blair’s meteoric rise to power, in the public mind he is a modern Machiavellian Prince of Darkness, totally synonymous with *spin* and its deceptive svengalian associations.

In 1998 Mandelson, the spin poacher turned Ministerial gamekeeper, was forced to resign from his position as Secretary of State for Trade and Industry when it emerged that he had failed to declare to his mortgage brokers that he had received a £375,000 loan from Geoffrey Robinson the Paymaster General.

Although both Robinson and Mandelson protested their innocence they were both forced to resign.

However, within ten months, Mandelson was back in the cabinet as Secretary of State for Northern Ireland.

He occupied that post until January 2001 when he resigned from the cabinet for an unprecedented second time over his role in the passport application of controversial Indian millionaire Srichand Hinduja.

(By coincidence, Hinduja had pledged £1m in sponsorship for the ill-fated Millennium Dome while Mandelson was in charge of the project).

In Scotland, the role of spin-doctors for Scottish Executive ministers has frequently been the focus of media interest and criticism. Former special adviser Peter McMahon's revelations of life with the former First Minister Henry McLeish certainly raised eyebrows.

However it is was the forced resignation of special adviser Jo Moore and her civil service boss Martin Sixsmith that has done most to fuel public disdain towards professional communicators.

She apologised for her view that September 11 was a good day to bury bad news. But a mountain of poor rail statistics and several emails later we are told that an email from Sixsmith warned... 'Princess Margaret is being buried... I will absolutely not allow anything else to be'.

The rest, as they say, is history.

Historically these examples have had a huge impact on the perceived integrity of communications and they illustrate the cumulative effect of leaving the ethical dimension of communication, especially in the political process, unanswered.

This brings me on to my final points on the ethical challenges facing anyone involved in political communication – particularly for PR professionals.

There's a definite need for political communicators (in parties, in government and in the civil service) to do much more to rebuild relations with the great British tax-paying non-voting public.

Accountability should be provided on a daily basis, not just at general elections. Greater access to the political process should mean fairer, equal and more meaningful dialogue.

But at the same time it must be understood that there is little qualitatively different in what a special adviser does in briefing the media than what many other communications professionals in the private sector, the voluntary sector and elsewhere do in persuasively and effectively presenting their employer's position in the media. The question to all of them is whether it is being done in a transparent, honest and accurate way.

In the same way as I indicated that it is not appropriate for one type of lobbyist – so-called commercial lobbyists – to be separated out from other in-house lobbyists, there is no reason to focus on one type of spin doctor – the special adviser – to the exclusion of others.

There is an equal obligation on communicators working for private companies to be ethical in their communication – and in their dealings with politicians – as the other way round.

So my first, albeit rather general recommendation is:

1. Professional communicators whether in Government, the private sector, consultancy or anywhere else must become more professional and themselves sign up to binding and enforceable codes of conduct.

This affects so called spin –doctors, but it also affects lobbyists –whether in-house or consultants.

The IPR, the Public Relations Consultants Association the Association of Professional Political Consultants (and in Scotland, the Association for Scottish Public Affairs) have all taken seriously their responsibility to increase transparency of the lobbying process through self-regulation.

The IPR reviewed and strengthened the Code of Conduct to which all of our members agree to adhere upon joining up. For their part APPC and the PRCA tightened up the register of lobbyist interests they maintain on behalf of their consultant members.

However, in a self-regulatory occupation, regardless of sector or career level, individual practitioners must take responsibility for their own professional development and for that of their fellow colleagues and employees.

With 7,000 members and as the largest such professional body in Europe, membership of the IPR is a serious proposition that demonstrates to clients, employers and the public that there is commitment to a code of conduct and to standards of excellence in communications practice.

Also, IPR has invested heavily in providing education and training opportunities to members including a continuous professional development programme. These measures form part of our efforts to build confidence in the ethical behaviour of those practising communication – particularly, though not exclusively, in a political environment.

Creating an accountable, transparent and, indeed, communicative culture of scrutiny is vital to public relations professionalism gaining credibility.

The growing rise of corporate social responsibility – in its broadest sense - enables greater public relations professionalism to shine through and prove its ethical credentials. Corporate social responsibility challenges individual practitioners not just to demonstrate professionalism to employer and clients but also to wider society that increasingly expects accountability and transparency from businesses across the globe in the same way as they would from Government and those communicating on Government's behalf.

In its' 6th report the CSPL, recognised that self-regulation of public affairs is working and recommended strengthened regulation of the lobbied and not the lobbyist.

If self-regulation is to continue to be a credible position for people engaged in PR and public affairs, the onus is on us to show build public confidence in our professionalism including the ethical requirements which underpin the way we work.

However, I do also have two recommendations for Government that are interlinked.

2. The first is maintaining the neutrality and impartiality of the civil service.

Responsibility for the presentation of government policy is to ensure consistent and clear projection of the government's activities and messages to the public.

That core and cherished belief should take primacy when the political system begins to iron out its present difficulties.

3. The role of special advisers in the political process and their relations with civil servants and the Executive must be made more transparent.

These issues are now being examined by two inquiries undertaken by the Committee on Standards in Public Life, now under the Chairmanship of Nigel Wicks.

The government has limited the number of special advisers; is introducing a new code of conduct for special advisers; and is toughening the code of conduct for ministers.

But more needs to be done. A grown up debate needs to begin and the government must state clearly its' intentions.

In comparison to just 38 at the beginning of 1997, there are now 74 special adviser appointees - at a cost of £3.9 million to the taxpayer. Although this is currently capped one cannot accept that the issue is closed.

In order to maintain the reputation of a neutral and impartial civil service and to improve the delivery of government, I would suggest that the sooner we move to a fuller US style system of *en masse* key quasi-political appointments when a new President – debatably in our case Prime Minister- takes office, the better.

So to conclude, the excessive focus on the commercial lobbyist and the so-called spin-doctor is too narrow. There needs to be a sensible debate about the broader issue of the ethics of political communication.

But from the perspective of the communication professional we have a clear obligation to ensure that we are doing everything in our power to promote the highest standards of professionalism and ethical conduct.