On 12 July 1999, the ABC television program *Media Watch* returned to a topic it had raised before, the examination of ‘a remarkable turnaround in [John] Laws’ attitude to Australia’s banks’. On 30 November 1998, for instance, Laws had said on air on Sydney radio 2UE, ‘When they go down to the bank, Uncle Scrooge down there behind the counter hits them with a fee! How can you do that you, I mean, how can you really do it?’ Just three months later on 1 March 1999, his tune was quite different, ‘So there you are, see, banks make very big profits, but are they unreasonable about it? Maybe not when you know the whole story.’ Presenter, Richard Ackland, used other examples, and we may assume that *Media Watch*’s research uncovered even more than were reported in the program.

The change of attitude was located by *Media Watch* in a ‘surprise’ phone call to Laws on air by Tony Aveling, the chief lobbyist for the Australian Banking Association on 19 February 1999. Mr Aveling was looking for an opportunity to tell ‘the whole story’ on behalf of the banks. After appearing to resist briefly, Laws became open to telling ‘the whole story’, and ‘the whole story’ became the name of a series of spots in which historical information, provided by the Australian Banking Association, framed comments advantageous to the banks.

Following earlier criticism by *Media Watch*, Laws had defended himself on air as ‘a commercial body … a saleable item’. He had also insisted that the banks had first contacted him. What had changed by 12 July was that *Media Watch* had come into possession of a confidential document of the Australian Banking Association. The document clearly stated that ‘[Bob] Miller [Laws’ agent] approached the ABA at the request of John Laws to see if any banks [418] were interested in using the agency and, in particular, Laws’. The document also stated the Banking Association’s objectives in entering into the deal.

The objective is to reduce the negative comments about banks by John Laws from the present average of four a week to nil; concurrently to receive positive comments from Mr Laws (over and above paid advertisements) and by doing so, to shift Australians’ perceptions of, and attitudes towards, banks.

The banks’ investment was to be revealed in the Commercial Radio Inquiry as ‘up to $1.35 million’.

When asked on the *Media Report* on ABC Radio National on 17 June 1999 whether financial considerations had changed his opinion, Laws had defended himself by saying, ‘my opinion about the banks hasn’t changed. My understanding has changed, that’s all.’

### The Commercial Radio Inquiry

The revelations on *Media Watch* were so compelling that the Australian Broadcasting Authority decided just three days later that it would use its powers under the *Broadcasting Services Act 1992* to conduct an investigation into the issues. A series of further allegations in the media led the Authority to broaden the investigation to include other 2UE broadcasters, especially the breakfast presenter Alan Jones, and subsequently Howard

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Broadcasting Act

public about failure by broadcasters to comply to

Complaints about infringements of

Australian Broadcasting Authority hearing into

behaviour and statements of the two presenters. It

Broadcasting Authority

Radio Inquiry: Final Report of the Australian

Radio Inquiry: Final Report of the Australian

register once certain conditions were fulfilled. The

Australian Broadcasting Authority was required to

of industry codes of practice, which the new

Authority sets licence conditions for broadcasters

and monitors compliance with the codes by

commercial agreements of John Laws and Alan

Jones and the effects of these on the on air

behaviour and statements of the two presenters. It

is particularly valuable for the detail it provides of

the commercial agreements and for its transcripts

and analysis of the broadcasts of each presenter on

topics related to those agreements. The latter are a

rich resource of material for logical, rhetorical and

ethical analysis. The second report, Commercial

Radio Inquiry: Final Report of the Australian

Broadcasting Authority, is shorter at 141 pages. It

sets out the scope of the Inquiry, its key [419] findings, issues arising from the failure of industry
codes and proposals for legislative change. It
covers all of the radio stations that had been

investigated. Further resources are available on the

Authority’s website.5

The extent of the Authority’s investigation was

limited both by its own powers to act under the law

and by the standards set by law for the broadcast of

current affairs commentary and advertising. Each of

these had been reduced in 1992 when The

Broadcasting Services Act replaced The

Broadcasting Act of 1942. Under the 1942 Act,

standards were mandatory, and under certain

circumstances the Australian Broadcasting Tribunal

was required to investigate complaints from the

public about failure by broadcasters to comply to

the standards. The 1992 Act saw the introduction of

industry codes of practice, which the new

Australian Broadcasting Authority was required to

register once certain conditions were fulfilled. The

Authority sets licence conditions for broadcasters

and monitors compliance with the codes by

broadcasters. Complaints about infringements of

the codes are dealt with by the industry and by the

Authority only if they are not resolved. The

Authority can, however, investigate breaches of the

Act or of licence conditions in its own right.

Although the Authority canvassed a wider body of

law, the breaches that they found related to failure
to comply with two clauses of the Commercial

Radio Codes of Practice and with one clause of the


The purpose of Code 2 ‘is to promote accuracy and

fairness in news and current affairs programs’.

Clause 2.2(d) enjoins a licensee to ensure that
‘viewpoints are not misrepresented, and material is

not presented in a misleading manner by giving

wrong or improper emphasis, by editing out of

context, or by withholding relevant available

facts’. 6

Code 3 has to do with advertising, and 3.1(a) states
that ‘Advertisements broadcast by a licensee must

not be presented as news programs or other

programs.’7

The section of the Act found relevant by the

Authority relates to the broadcast of political matter

at the request of another person and specifies that

the broadcaster must immediately reveal the name

and other particulars of the person authorising the

statement.8

Each of these rules required careful interpretation

and application by the Authority. A principle that

seemed to impress the Authority was taken from a

submission that cited practice in the United States.

The principle is that ‘radio listeners are entitled to

know by whom they are being persuaded’.9 It

applies to each of the rules and seemed to be

reflected in the Authority’s interpretation [420] of

the rules. In respect of current affairs, the

Authority expressed the view that ‘all listeners are

entitled to assume that presenters are

“disinterested”, or lack a commercial interest, in the

topics on which they express an opinion.’10 In

respect of advertising, the Inquiry was of the view

that advertisements for sponsors are capable of

being disguised as personal endorsements, as

favourable mentions during current affairs

programs or as the presenters own opinion in live

reads of advertisements. In each case, listeners are


4 Australian Broadcasting Authority, Commercial

Radio Inquiry: Final Report of the Australian

Broadcasting Authority (Commonwealth


5 The 2UE Report and the Final Report are cited

above. The reports and other information from the

inquiry including transcripts can be found at

www.aba.gov.au/what/investigate/commercial_rad

io/index.htm.


Andrew Murray, Opinion and the Media 2.
likely to be misled as to who is persuading them.\textsuperscript{11} The law in respect of strictly political material, is stronger in its instance on disclosure of who stands behind the statements, but deception is possible. The Authority, indeed, found instances in which broadcasts, ‘while couched in terms of a broader public policy debate, advocated particular positions advantageous to’ companies affected by decisions of government and in commercial relationships with the presenters.\textsuperscript{12}

The findings of the Inquiry were severe. In the first instance, it revealed the details of widespread secret commercial agreements between presenters of talk back radio and large commercial interests. In Sydney, John Laws was found to be involved in eight commercial agreements to the tune of $2.3 million per annum, and Alan Jones was found to be involved in five such agreements worth of the order of $1.5 million per annum. In evidence, the said concerns were shown to be very satisfied with the arrangements and to value comment that flowed from them more highly than paid advertising. One would expect such revelations in a public report to be extremely damaging to the presenters, to the radio stations and to some extent to the interests sponsoring them.

In the second instance, the Inquiry found numerous breaches of the existing law and codes and found this in spite of weaknesses it recognised in the law. In the case of each presenter, the Inquiry found that he had on numerous occasions promoted opinions that were presented as his own and as independent but which arose from payment and which often followed a script prepared by the commercial concern.\textsuperscript{13} Again, one would expect such findings to be extremely damaging to the reputations and credibility of the persons concerned. In addition, they raise very serious questions about the formation of opinion in this country and about the health of its political life.

In the third instance, the Inquiry found that there was a systemic failure in the industry’s attempts at self-regulation and that appropriate community safeguards were not in place in respect of current affairs programs and advertising. The Inquiry itself went on to make recommendations about how this situation might be remedied, and one would expect the government to act before too long.

Jones and two others testified to the Inquiry more than once that their on air behaviour was not influenced by commercial arrangements. The Inquiry rejected these assertions and was satisfied that in all cases the relationships had [421] at least the potential to influence on air behaviour. Many of the cases presented in the 2UE Report showed this view to be well-founded. Laws did not make this claim but seemed to regard himself as an entertainer, even when he was expressing opinions on matters of social and political significance.

The penalties dealt by the Authority were not so severe. For the presenters, there were no penalties apart from exposure in the public report, because the Authority does not have the power to impose penalties on them. The Inquiry decided that there were not sufficient grounds to revoke 2UE’s licence but recommended the imposition of new licence conditions specifying full disclosure of commercial agreements and separation of advertisements from other program material. The Authority acted on this recommendation.

The Structure of Opinion
In essence, what the Commercial Radio Inquiry found was systemic failure in the industry to disclose to the public commercial arrangements that were likely to affect the opinions expressed by radio presenters in talk-back shows. It established that the matter was of profound public concern because of the influence of those presenters and because, unless told otherwise, the public could reasonably presume that the opinions expressed were held seriously by those who stated them and not subject to pecuniary interest.

In some respects, the Inquiry was limited: by inadequacies in the existing law, something it made clear by proposing ways in which the Federal Government could strengthen that law; and by what a public tribunal in adversarial session could reasonably and fairly expect to conclude. There are, however, broader and more philosophic criteria under which the matter can be examined. One of the more significant of these has do with the structure of opinion, that is, its nature, how it is formed and the role that it plays in social and political life.

In the broadest sense, an opinion is simply what one thinks or holds. We have opinions as soon as we can construct sentences, but therein lies a problem. Our first ‘opinions’ are probably either imitations of something said by our parents or mere sounds with structure. They stand in stark contrast to the best opinion of a panel of experts. The term, then, covers a vast range of cognitive achievements that vary greatly in quality. In his dialogue, \textit{Meno}, Plato depicts Socrates confronting the difficulties raised by these differences in conversation with Meno, a

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{11} \textit{Final Report}, 49-55.
\item \textsuperscript{12} \textit{Final Report}, 55-57.
\item \textsuperscript{13} \textit{2UE Report}, 79; numerous cases are described in Schedules 11-15, pp. 166-444; \textit{Final Report} 25-42.
\end{itemize}
\end{footnotesize}
wealthy young visitor to Athens. The other main character in the dialogue is Anytus, a prominent Athenian citizen.

In the *Memo*, Plato worked out and displayed some fundamental distinctions, which he presented as sets of opposites found among four essentially different states of mind - opinion, error, ignorance and knowledge. Knowledge was, of course, Socrates’ quest, but he could do this only by challenging and clarifying opinion. Knowledge has the character not only of truthfulness but of significant certainty about this truthfulness based on a vigorously reasoned account of the claims that it entails. Yet, though knowledge be the goal, Socrates was careful to give significant place to opinion, since, for the most part, it is by opinion that we live. Any political entity, for Plato, ‘the city’, runs on opinion, because it must make judgements and decisions about matters of which scientific knowledge is impossible.

False opinion is error, and displayed error is ignorance or not knowing. Here the dialogue moves on two levels. According to the way of Socrates, realisation of ignorance is a move forward, because it motivates the truth-seeker to re-examine opinion so as to work towards knowledge from a conscious state of not-knowing. The other way is that of Anytus, a statesman and later an accuser of Socrates at his trial, who could not face the demanding task of examining all of his opinions, though invited to do so, but who preferred to move back into the shady area of mere unexamined opinion. Socrates was not harsh on Anytus because he recognises that, as a man of state, Anytus needed to remain engaged in action and so could not afford to suspend his judgement. Yet Socrates was saddened, because he saw a failure of character that would make it harder for Anytus to prevent the opinions he lived with from becoming loose and even from sliding into error.

Opinion provides the space of political life, which is in reality no easier than the life of careful reflection that Anytus had rejected. What matters from the point of view of immediate action is that all or most opinions be shared. Political action follows what we call common opinion. Yet the ultimate health of the city is dependent on action that follows sound opinion. A city that is morally strong is able to identify and follow those leaders whose judgement has proven to be sound. It will do well. A city that is morally weak will follow a myriad of voices, attracted by how they sound at the moment, and ultimately fall prey to demagogues, those apparent leaders who are motivated by a desire for power and by the effects their words have on people but who remain ‘bent on policies that are disastrous for the people as a whole’. ¹⁴

We have looked at sound opinion, common opinion and error. Other distinctions are necessary. The first is between common opinion and informed opinion, something that Aristotle worked out in his *Posterior Analytics*. It is common opinion that is at work in politics, but it is informed opinion that forms the basis for coming to knowledge. Informed opinion does, however, come into the political realm and we use it, for instance, when we seek a legal opinion on a particular issue or a medical opinion on a state of health. We may even get a second opinion and so compare the two opinions. Such opinions are stated carefully so as not to seem to imply more than the author is prepared to say and are, therefore, insufficient to political life’s total needs, but they are opinions that political life can ignore only at its peril.

A further distinction lies between what I will call real opinion and apparent opinion. A real opinion, which may be any of the preceding kinds, is a candidate for truth or falsity. It is based on judgements supported by facts and arguments, which are open to further examination. Apparent opinions, on the other hand, lack this support. While they appear to be opinions, they are said emptily, even if with great force. This may be because matters are too complex and difficult to allow for the formation of an opinion. It may be because the person expressing them has not taken the time and effort to assess the issues and so to make a considered judgement about the matter. It may be because the person is merely repeating someone else’s opinion without having first appropriated it. Apparent opinions can be attractive, because, although easy to generate, they can be powerful tools in the battle for minds and hearts. What is wrong with them is that they act as instruments of influence without taking serious effort to inform people fairly or truly about the states of affairs under consideration.

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¹⁵ The term ‘apparent’ may cause difficulty. Ancient thinkers readily recognised the unreality of mere appearances and the problems that arose from this. Modern thinkers, who have tended to consideration of the knowing subject prior to the reality known, are, on the other hand, more comfortable with appearances. I avoid, however, terms like ‘counterfeit’ and ‘feigned’, because these carry implications of intent. An ‘apparent opinion’ looks like an opinion but fails to be one because it has not been formed adequately.
A final category of opinion is ‘my opinion’ as expressed in the sentence, ‘That’s my opinion and I’m sticking to it’. We need to distinguish here between firmness of mind, necessary in preparation for action, and mere stubbornness. It is the latter that is characteristic of a liberal society that has lost its way. The problem with it is that its assertion of the self obliterates the distinction between opinion and error. Thus, even the life of opinion calls for close examination of one’s own thought and action.

That ethical issues underlie this discussion is evidenced by the fact that the question of character has been central to our discussion. Character I take to be the moral and intellectual constitution of a person, which stands behind consistent patterns of thought and action. Character can be displayed openly and naturally, in which case there is consonance in a person’s actions, or it can be hidden, or a false character can be projected. Character as perceived and agreed by others is reputation. It likewise can be manipulated and is a powerful determinant of how one is able to act in society. The quality of character that is most important to this discussion is seriousness – seriousness about the opinions one holds, seriousness about one’s attempts to test and substantiate those opinions, seriousness about looking for the best opinion available, seriousness about one’s responsibility to inform people carefully and accurately, and, indeed, seriousness about life.

Character enters into the discussion in another way, because along with argument and arousal of emotion, it is one of the means with which we persuade people to take up new opinions or to act in certain ways. It is particularly important when the facts are too difficult or too many to discern and when the arguments that sustain the opinions are too complex to grasp easily. Aristotle explains why we accept opinions on the basis of the character of the person stating them in *Rhetoric* II, 1. He says that we look for and take note of a person of common sense, virtue and goodwill.

For men lie about what they are urging or claiming through either all or some of the following: they either have the wrong opinions [424] through stupidity, or, while having the correct opinions, through perversity they fail to say what they think; or they have common sense and integrity but are not well-disposed, whence they might not give the best advice, though they know it.¹⁷

**Opinion in the ‘Cash for Comment’ Affair**

The Commercial Radio Inquiry was able to make a substantial case for wrong-doing because it found evidence that money had changed hands and because it was able to link the consequent agreements with specific opinions stated on air by the presenters. The underlying corruption, of which the commercial agreements are only a symptom, is more serious. What the Inquiry has revealed in great detail is the corruption of opinion and the failure of presenters to act seriously in the current affair discussions on talk-back radio. In order to consider this we need to look at each presenter separately, because each acted in different ways. Here we shall examine the behaviour of John Laws and Alan Jones, because they are based in Sydney¹⁸ and because the *2UE Report* has provided ample material from which to make judgements.

John Laws’ opinions turn out to be not very interesting, because to a significant degree they simply fail the test of seriousness. This judgement is implicit in his own frequent defence that he is merely an entertainer, but it is also demonstrated in the *2UE Report*. This does not mean that he is not influential, because he has extraordinary communication skills, but it does mean that it is very difficult to argue with him or to clarify his opinions, because in a sense there are none.

As part of his relationship with the Australian Bankers Association, Laws ran a campaign that involved responding to listeners’ complaints about the banks. The *2UE Report* documents some of the calls that occurred between 17 February and 25 June 1999.¹⁹ Laws would receive a complaint either on air or by fax and refer it to the relevant bank. The bank, or on some occasions Laws’ staff after consultation with the bank, would then write a script that Laws would roughly follow on air. The Inquiry revealed a fax from an employee of Laws to

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¹⁸ As Sydney is my own place of residence, I have been able to keep abreast of media discussion of issues relating to the Sydney radio station and also to record broadcasts for study and analysis. This has not been possible in respect of presenters and radio stations in other capital cities.

¹⁹ *2UE Report*, 51-52, see also 315-333.
a bank ending with ‘Can you sort this one out - ASAP please - we’d love to get an answer “on air” as quickly as we can’. The responses generally reported quick action by the banks and favourable comments from Laws on how well they had co-operated. Apart from quick and generally effective action, treatment of the complainants ranged from the waiving of fees to apologies to reproof by Laws of one of his callers for not telling the whole truth about the matter.

It would have appeared to listeners that Laws was championing the cause of ordinary people, who experienced difficulties with the banks. They may [425] have been surprised and even gratified at how successful Laws was and would have listened receptively, in many cases despite prior reservations, to his praise of the banks. Esteem for Laws would have increased both because of his support of ordinary people and because he was so effective with the banks. One would expect that the public image of the banks improved because time after time they were shown on air to be responsive to complaints and concerned about the needs of customers. The Inquiry recorded that the banks were certainly happy with the results of the campaign. Little, however, did the radio audience know that things had been set up beforehand and that they were not as they appeared.

Alan Jones presents a more interesting case, not the least because of his persistent claim to articulate only his own opinions. As well, he is clearly intelligent and well educated and has been successful in a number of career activities. One would expect, therefore, that he does have his own opinions and that many of them are well founded due both to his experience and to the access he has had to people who are knowledgeable in various subjects. He does, however, express opinions on an enormous range of issues, many of which demand attention to very specific detail.

What then are we to make of the disagreement between Jones and the Inquiry about the effect of his commercial agreements with sponsors on his current affairs commentary on issues of interest to those sponsors? Jones claimed that the opinions he expressed were his own. The Inquiry found consistently that ‘Mr Jones presented material in a misleading manner by withholding a relevant available fact, namely the existence of a commercial relationship between himself and’ the particular sponsors to whose interests the examined discussions related. The implication is that Jones’ opinions were affected or were likely to be affected by the commercial agreements and that the radio audience had the right to know this as they formed their own opinions. In at least some cases, the Inquiry rejected Jones’ evidence that his on air behaviour was not influenced by his agreements.

It seems reasonable to suggest that in a number of cases Jones’ opinions, while in a sense his own, were merely apparent opinions. In other words, while the opinions were asserted as his own opinions, they lacked in some way the grounding necessary for them to be called real opinions. They were without Jones’ consideration and judgement, perhaps for reasons such as shortage of time to test them or such as excessive readiness to repeat someone else’s opinions as if they were his own. In many cases, it seems that all Jones added to the opinions he expressed were his own strong positive assertions. There seems to be evidence in the reports of the Inquiry and also in media reports to substantiate this kind of claim. [426]

One of Jones’ agreements was with Walsh Bay Finance Pty Ltd, a company engaged in redeveloping the finger wharves to the west of the Harbour Bridge. The company was subject to public criticism of the project and was concerned that the government bureaucracy was processing their applications too slowly. The 2UE Report reproduced a media fact sheet sent from the company to Jones on 29 May 1998, an article by Piers Akerman in the Daily Telegraph on 2 June, and four broadcasts by Jones between 2 June and 24 August on the matter. The first broadcast largely repeated the Piers Akerman article, though including material from the fact sheet, embellished

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20 For some biographical notes on Jones see David Leser, The Whites of their Eyes (Sydney: Allen & Unwin, 1999), 239-256.

21 2UE Report, 166-245.

22 See, for instance, 2UE Report, 37; Final Report, 53.

23 I will use just two examples from the 2UE Report. In another kind of case, not linked to commercial agreements, Media Watch showed on 22/5/00 how Jones had picked up reports in other media and used them as his own. The presenter, Paul Barry, said in respect of one of the examples, ‘So what exactly did Alan add to this piece? His opinion of course.’ In a sense then, Jones was, in these cases, merely transferring other people’s opinions to his audience, although he did this as if they were his own. In these cases, the audience would seem to be affected not by a reasoned account of the matter in hand but by the force of Jones’ assertions. In other words, persuasion took place not through argument but through force of emotion.
with Jones’ own frequent strong affirmations. The others, including an interview with the Premier, rehashed material from the first two documents. Jones did not just report this material but rather used it to make strong assertions that implied that the opinions were firmly his own. Did he know enough to do that? Had he thought hard enough about it and considered the various alternatives carefully enough?  

Jones strongly opposed the plan to build Sydney’s second airport at Badgerys Creek. The 2UE Report reproduces the transcript of an interview by Jones with the Federal Member for Macquarie and with a representative of Qantas on 1 July 1999, both of whom also opposed construction of the airport. Three times Jones raised the issue of how one could ‘get 500,000 litres of fuel a day to Badgerys Creek’, a question that neither interviewee handled well but which would remain in the mind of listeners as an incontrovertible fact that seemed to prove that it would not be feasible to build the airport. It is not clear that Jones’ figure is correct, but its power in argument is that the number is very large. Had Jones tested his ‘facts’ he would have found that ten B-double road tankers could carry that amount of fuel and further that an existing Sydney-Newcastle oil pipeline with a branch to Plumpton could be extended the twenty kilometres or so to Badgerys Creek.

What this suggests is that Jones is generating so much opinion so quickly that in many cases he does not have time to appropriate or test what he says, in other words, time to think. In these cases, the opinions he expresses are likely to be apparent rather than real.

Jones could reply, of course, that he had accepted the opinions that he expressed on these matters on the basis of his judgement of the good character of the persons whose opinions they were. There are two responses to this. Firstly, in the case of the commercial agreements, the people whose opinions Jones accepted were not disinterested advisers. They were parties to public controversy. Irrespective of the value of their positions or of the worth of their own personal characters, Jones met them in the context of a commercial agreement to further their particular interests. In rhetorical terms, they were not ‘friendly’ to Jones’ and his interests or, more to the point, to his listeners and their interests. Secondly, in order to take this line of defence, Jones would have to show that he is a perceptive judge of character in both the ethical and rhetorical senses and that his public attitudes to people were consistently formed objectively without bias arising from his personal likes and dislikes or from agreement and disagreement about matters of common interest.

### Opinion and the Media in Liberal Society

It would be easy to lay blame for the problems that the Commercial Radio Inquiry has uncovered on the media itself or on the ills of liberal society in general. Most of us, however, enjoy the freedoms that such a society allows - freedom of speech, freedom of association, freedom of movement, freedom of religion. We also respect the political institutions that support life lived with these freedoms - regular elections, federal structures, a free press, an independent judiciary, and so on. It is, therefore, the responsibility of every citizen to play a part in helping this society function well.

A liberal society of itself denies neither the possibility nor the desirability of truth. What it denies is the necessity of having to accept any particular individual’s account of the truth prior at least to testing it, particularly if that individual is powerful or has some interest in the opinions people might hold. It assumes that truth will generally emerge if knowledgeable people debate the issues. In this, the media has an important role, because it is in the media that debates about issues of public interest are held or reported and because the media itself, when it is functioning well, acts to uncover the various kinds of untruthfulness and deception that can mislead public opinion.

It is to the credit of the producers of *Media Watch* that they were able to make the revelations that led to the Commercial Radio Inquiry, and it is to the credit of the Inquiry that the publishing of its findings has led to closer scrutiny of the quality of the opinion expressed in sections of the talk back radio media. It is of concern, however, that it took so long for the media to raise objections about the kind of opinion under consideration. Alternatively, it has to be acknowledged that confronting such opinion is difficult because it is diffuse. It is spread

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24 2UE Report, 172-183.

25 A fallacy is in operation here, and we might call it ‘assault by facts’.

26 These facts were got by a quick phone call to Caltex, whose representative was very helpful.

27 Leser, in *Whites of their Eyes*, describes the prodigious range of Jones’ activities and the hectic pace at which he works and lives. On 5 August 2000, *The Sydney Morning Herald* reported that Jones wrote some 4,500 letters in 1999. Many of these were to politicians, including the Prime Minister, who, in April 1999, appointed a member of his staff to manage contacts with Jones.
over many hours of broadcast and the connections between various statements are loose. It is also dangerous, because talk back radio has proved to be an extremely litigious segment of the media. One of the lasting successes of the Inquiry will be that it has used its powers to place an enormous amount of evidence on public record in a way that is accessible.

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