9. Knowledge, power and politics

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In 1597, British philosopher Francis Bacon, in meditating on religion and heresies, recognised the integral relationship between knowledge and power with his statement 'knowledge is power'. Although community benefit can often be derived from sharing knowledge, Bacon's insight helps explain why politicians and their bureaucrats are often reluctant to make knowledge broadly available. The pervasive approach to sharing of knowledge within the bureaucratic and political arenas is one of reluctance. It is a measured and considered process that is carefully designed to avoid undermining the use of power.

There is invariably a tension between different groups and individuals who would exercise power in the political sphere. In a liberal democracy, such tensions are exercised most obviously in the cabinet, on the floor of the parliament and in the committees. Power, however, is not restricted to those in government but can be shared by other elected members, powerful lobby groups, the media and the bureaucracy. Knowledge and understanding of issues, systems and people provide keys to successful lobbying and use of power. Furthermore, the environment in which policy decisions are taken is rarely straightforward.

Edwards (2001:3) writes: 'Policy environments are full of complexities, usually involving a diverse range of players coming from different perspectives and spawning a host of unexpected events. It is therefore very unlikely that circumstance would permit anything approaching a classical rationality in the decision making process.'

Edwards' contention is that a systematic approach to policy development can deliver better outcomes. Within the context of such policy process complexities, however, key players are keen to protect information. Information might persuade others to a view that does not sit easily with the perspective that they bring to the policy process and must therefore be protected for use in a manner that suits their own purposes.

Although hoarding of information to reinforce political positions is common, sharing of knowledge is not foreign to the political process and has been well established in the parliamentary committee inquiry process. One of the great strengths of parliamentary committees has been their ability to find information and knowledge and to share it through appropriate reporting of their findings

to the people via the parliaments. Harris (2001:605) writes: 'Committee inquiries enable Members to be better informed about community views but in simply undertaking an inquiry committees may promote public debate.' In Australia, senate committees in particular, and their counterparts in other parliaments, have become a key mechanism for sharing knowledge. As such, they are also instruments for sharing power.

In contrast with the approach of backbenchers within the committee system, under a Westminster government, having been drawn from elected members of the parliament, a cabinet invariably sets about consolidating its own power. One of the techniques used by governments to secure knowledge and therefore to consolidate their power is 'cabinet-in-confidence'. The use of this instrument demonstrates the importance of the relationship between the power of the executive arm of government and knowledge that is kept from others in the parliament and from the general public. Documents marked 'cabinet-in-confidence' are not available publicly for long periods unless released at the time by the head of the cabinet (in Australia, the prime minister in the federal government, the premier in state governments and chief minister in territory governments). It is common in Australia for 'cabinet-in-confidence' documents to be held for up to 30 years before being released. In Queensland, the documents are held for 30 years while in the newest jurisdiction, the Australian Capital Territory, 10 years is considered adequate.

'Cabinet-in-confidence' documents that are released after more than one-quarter of a century provide some interesting insights into decisions of the time. The majority is, however, made up of mundane administrative matters and have largely been suppressed to protect the public servants and cabinet members of the time from any risk of controversy. In issues of security and policy development, there could be some reason for governments to hold on to documents for such periods. The reality is, however, that the use of this technique is primarily about avoiding the sharing of knowledge and, with it, avoiding the risk of having to share power.

When doubt exists about what information may or may not be available, it is difficult to question the decision a minister makes. It is safer for a minister—and the bureaucrats—if it is not known what information was available at the time. Should all the information be made available, it would be possible to carry out a full analysis of the decision-making process and with it the competency of the minister and those who advised in the process.

The case of Mohamed Haneef, who was arrested in Australia, held and interrogated for three weeks before being allowed to go free, provides a specific example to demonstrate the tension involved in the use of knowledge as power within the political context (BBC 2007). The struggle between the government,

which was trying to keep knowledge to itself, and the lawyers headed by Peter Russo, who were using the courts to make knowledge available, provides an illustration of the importance of knowledge as power in the political context. The Australian Government was notified by British intelligence services that Haneef was a person of interest in an investigation of acts of terrorism in the United Kingdom. Information was able to be cosseted for political purposes using legislation and arguments about the need to protect the country from terrorists. The risk of inappropriate use of intelligence provided by international colleagues provided a further argument for confining knowledge to be used as wished by the government for its own purposes.

The Liberal government, only months away from a general election, saw the opportunity to use fear and uncertainty as tools to win votes. The police were under pressure to be successful in dealing with terrorism. The dominant discourse of the time was that the government had to be seen to take whatever action was necessary to protect the people. The democratic checks and balances, however, proved a challenge to the government about how they could use their own knowledge. When the courts indicated that the information presented by the police was not enough to keep Haneef detained, bail was granted. Immediately, the Immigration Minister, The Hon Kevin Andrews, stepped in to continue the detention through the application of a different set of laws: the immigration legislation.

Andrews argued that the police had provided him with information (which he could not share) that left him with no choice but to keep Haneef in detention. The political and media pressure was so great that Andrews eventually released a part of the transcript of a chat-room conversation between Haneef and his brother. It rapidly became clear to the public and the media that the information had been taken out of context. The evidence was as unconvincing for the public as it had been for the magistrate who granted bail. It was not difficult, however, to understand why the minister—who was looking for a specific outcome in the election context—would have been persuaded by the words to detain Haneef. Andrews found himself sandwiched between the media and the public on the one hand, who were still critical of the information, and the police on the other, who were critical of the release of the information. Andrews announced that he had further information that he could not release. Supposedly, this further information was of great significance in dealing with international terrorism and if he were to release it, it might not be able to be used in court should further charges be laid. The suppression of this information provided Andrews with the power needed to maintain his position.

The police understood the importance of holding information to themselves as it provided uncertainty and retained power in the hands of the government. Andrews was somewhat more vulnerable, as defence lawyers had been selectively

leaking the only information that was reaching a hungry media. The further difficulty for Andrews was that, unlike the police, he and the Prime Minister would probably have to answer questions on the matter in the subsequent sittings of parliament. There would also be the opportunity for some exposure if documents were requested under the *Freedom of Information Act* (although much of this information would be able to be suppressed as it had to do with terrorism). The other accountability to be faced by a government would be the establishment of a parliamentary committee of inquiry. In previous decades, this technique had been used frequently by the senate committees—which were not tied to the government agenda—to expose governments that attempted to hide information. With a government majority in the Senate, however, this accountability mechanism was likely to fail. It would not be until 1 July 2008, with the swearing in of the newly elected senators so that no party had a majority in the Senate, that an opportunity would be available for a senate inquiry.

Although Andrews and Prime Minister, John Howard, had seen an electoral opportunity, the Haneef case in fact added to a loss of trust in the government. One drawback of failure to share knowledge is that it plays an important part in diminishing social capital. Although the term might not be immediately apparent, social capital should be well understood by governments. It comprises a series of important facets including knowledge, language, trust and understanding. According to Christensen and Levinson (2003:2), 'Finally, social capital can be measured by the fraction of people who trust one another. Generalized trust acts as a form of social glue, fostering participation in politics, and facilitating bridging across ethnic, racial and class lines.'

The level of trust in political institutions is steadily diminishing. *The Age* newspaper (2004) reported that a 'study of voter attitudes on social and political issues conducted by Irving Saulwick for *The Sunday Age* found 33 per cent of voters say that they seldom or never trust political leaders in Canberra (while 41 per cent say they sometimes trust them)'.

It is not clear whether or not the sharing of information and knowledge would assist in building trust and, with it, social capital. As illustrated by the Haneef case, however, the suppression of knowledge appears to undermine social capital. When a parliamentary committee report carries a dissenting view, the substantive report usually receives much more attention. It becomes clear to the media that there is tension between members and the difference of opinion makes good copy. A minority view attached to a report is usually added to air a dissenting view. Sometimes, particularly when the government does not hold the numbers in the committee, the dissenting view is a political tool to ensure that the member is not too critical of his/her own government. Conversely, when the government has the numbers, a dissenting report could be the only way that opposition members can voice an opinion. The most powerful and influential

reports are those that carry no dissenting voice. The committees have the power to perform functions such as ‘finding out the facts of a case or issue, examining witnesses, sifting evidence and drawing up reasoned conclusions’ (Harris 2001:605). Even these committees, however, do have the power to withhold information, expunge material from evidence and suppress parts or all of a report (Harris 2001:664). Even in the system designed to open governments and expose knowledge and ideas, the importance of knowledge as political power is well understood.

Governments have recognised the importance of trust as part of delivering an effective government. In the Australian Capital Territory Legislative Assembly, the concept of *social capital* was used as a cornerstone of the budget that was released in 2000. The Treasurer at the time identified the concept as ‘the fourth dimension of an economy. It adds to the market concept of financial capital which covers property and equipment; environmental capital such as land, farming and mining; and, human capital that includes the skills and education of the workforce’ (Humphries 2000:7).

A booklet was developed as part of the budget papers to explain the concept and why the government took it so seriously at that time.¹ Building trust is extraordinarily difficult when knowledge—and with it power—is not being shared to any extent. Hiding information and restricting access invariably raise suspicion and reduce the level of trust. The cabinet handbook of the government of the Australian Capital Territory sets out a series of security measures to protect cabinet information ranging from national security through to the protection of ministers. This government releases documents after a period of 10 years—provided that the current cabinet does not object to any information being released (Cabinet Office 2007:22–3). Even though the government tried to build trust in this way, when it was given the opportunity to reduce the time for the suppression of cabinet-in-confidence documents through the Executive Documents Release Bill 2000, neither the government (Liberal) nor the alternative government (Labor) could take the necessary step as indicated by the votes of all Members of the Assembly (*Hansard*, 21 June 2001:2348).

The frustration that many feel about government processes and the failure to share knowledge grow out of a lack of understanding of how power is used to guarantee the restriction of knowledge. Wayne Parsons provides a clear insight into this issue in attempting to analyse these types of concerns:

The real power in the policy process is the power to make non-decisions; that is, the capacity of one group to prevent ideas, concerns, interests and problems of another group getting ‘on’ the agenda in the first place.

¹ Please note that the author was a minister in this government at the time and was the force behind adoption of the concept of social capital as part of the budget strategy.

Furthermore, this position may be extended to say that, if we want to understand how problems are defined, and agendas set, we have to go much deeper than the surface relations of power, into the way in which values and beliefs of people are shaped. (Parsons 1995:86)

Mal Brough, the then Minister for Families, Community Services and Indigenous Affairs, with the support of Prime Minister Howard, launched an extraordinary intervention into the control of Indigenous communities in the Northern Territory on 21 June 2007 (Howard 2007). Howard argued that his responsible minister had brought the issue squarely on to the agenda: 'It is our view that if it hadn't been for the persistence of Mr Brough in elevating this as an issue, the inquiry conducted by Rex Wild and Pat Anderson would never have been commissioned' (Howard 2007).

The concern he raised was primarily about the widespread sexual and physical abuse of children. Within weeks, there were hundreds of health checks being carried out by the task force that arrived in remote communities within the territory. In August, Brough tabled legislation in the Parliament to allow a further range of activities and interventions by the federal government while carrying out its plan in the Northern Territory.

The struggle over knowledge in this case was really for the dominant discourse. There had been previous attempts to make knowledge available but politicians and the media had not heard them. The most prominent of these was the Royal Commission into Aboriginal Deaths in Custody, which reported in 1991 (Johnston 1991). Indigenous leader Noel Pearson had grown in influence with the Howard government and particularly with Brough. Pearson had a particular 'take' on the causes and solutions, which was hotly contested by others. Pearson's 'knowledge' became the dominant discourse. Within a very short time, it became the accepted form of knowledge for the government and most of the media at the expense of much other information about underlying causes and the ingredients of successful solutions.

Labor's spokeswoman, Jenny Macklin, in addressing the legislation, identified the reason for Opposition support with the comment: 'We believe that these laws are designed to protect especially vulnerable Aboriginal children' (Macklin 2007:91).

She also identified the limitations of the Opposition support for the bill by applying a simple test to all parts of the legislation: 'Will it improve the safety and security of our children in a practical way?' (Macklin 2007:92).

The question that is pertinent to sharing knowledge is why had people not acted until now, especially if it were true to identify the 'litany of reports'? Parsons' insights assist the understanding of what now seems to have been

culpable neglect by state and territory governments and by federal ministers before Brough. Perhaps they did not have the wherewithal to look beyond what was politically correct. With the wisdom of hindsight, it would appear that powerful lobby groups had kept the understanding from general knowledge that this abuse was so pervasive. It provided a springboard, however, for launching the Pearson discourse. It is true that there were many arguments against such an intervention, including: fear of 'whitefella' intervention, communities must take responsibility for their own, partnerships are the key way to develop understanding and this will just colour attitudes to Indigenous people.

Independent of an individual's view of whether the intervention is good or bad, what is really clear is that one powerful lobby group has been able to ensure that another view is not generally considered either in the community or within the political sphere. The announcement was made within the context of an impending election. As such, many have dismissed the intervention as a political tool. Perhaps it was. Perhaps, however, there was a genuine concern that had come to the attention of Brough and the impending election provided the tool to put the issue fairly on the agenda in such a way that arguments to the contrary would be difficult. In the final outcome, the decision that was made was political and a powerful though selective discourse was used to support it. This is not new. Ron Sackville (1979:6) explained the gaping crevice between knowledge and evidence on one hand and decision making on the other in his Royal Commission report: 'The most persuasive misunderstanding that affects a Commission such as ours is the belief that crucial policy questions can be resolved by carefully weighing up the scientific, medical and statistical evidence.'

Although knowledge and evidence can be important in government processes, they form a part of the decision-making process. They are not always a crucial part.

Mal Brough was attempting to establish a specific understanding or 'knowledge' of this issue. Noel Pearson, who is a member of the Bama Bagaarmugu people from the Kalpowa and Jeanie River area of south-eastern Cape York, had been attempting to share his concerns and approach for some time. The Cape York Partnership web site sets out his background and concern about an issue that he has been pursuing for a number of years:

As well as [being] the Director of Cape York Partnerships and voluntary team leader of *Every Child Is Special*, Noel is the Director of the Cape York Institute for Policy and Leadership [www.cyi.org.au] which aims to drive policy innovation and move to include a model of active

Indigenous participation in public policy debates. Noel continues to work as an advisor to Indigenous organisations in Cape York. (Cape York Partnerships 2007)

As far back as 2003, Pearson had been trying to get attention from the government to share his view of knowledge about social conditions impacting on the lives of the Indigenous people of his area. He prepared a paper for a round-table discussion with Prime Minister Howard that included the following principle: 'Avoid reliance on experts from the "Aboriginal industry"' (Pearson 2003).

In knowledge-sharing terms, this point identifies Pearson's concern about being able to share his view broadly. Indeed, it would be another four years, a minister prepared to take a huge risk and the context of an election before his suggestions would come into mainstream discussion and eventually become the dominant discourse. In 2003, Pearson identified the 'Aboriginal industry' in a way that suggested frustration about not being able to present his solutions without having the views contained by such a powerful lobby group. Even the words he uses in his description of those with an alternative view as the 'Aboriginal industry' illustrates the importance of holding on to the dominant discourse in influencing governments.

Although people such as Pearson had been trying to communicate the idea of a national crisis for years, the intervention launched by the Prime Minister seemed to come as a surprise to many—particularly those in the 'Aboriginal industry'. The frustration of such 'industry' leaders came out as they met the then Opposition Leader, Kevin Rudd. Attempts to challenge the discourse were largely unsuccessful. Former chief executive of the Aboriginal and Torres Strait Islander Commission (ATSIC), Pat Turner, vigorously attacked the process: 'It is very, very disheartening that the Government has been able to treat everybody... with no respect...I've never seen such an abuse of power in parliament' (Karvelas 2007). She was accompanied by former Northern Territory Indigenous Affairs Minister John Ah Kit, who stated: 'This is about the beginning of the end of Aboriginal culture, it is in some ways genocide' (Karvelas 2007).

It is clear that the alternative discourse to that being put by Pearson for many years was now being lost under the pressure of a single view emphasising the importance of protection of vulnerable children. No doubt, Ah Kit would feel both the frustration of not leading the debate and the vulnerability of not taking on this sort of protection when he had responsibility at the time he was minister. Perhaps this accounts for a slight softening of the approach taken by Turner and Ah Kit when he stated, 'We all agree that there needs to be changes in the Territory but we need to be involved in the consultation process' (Karvelas 2007). The consultation process is about being involved in the sharing of knowledge and the sharing of power and the hope of being able to

bring other factors into the discourse. In the end, the political decision maker is responsible for taking action but the knowledge and understanding of the issues come through a process of negotiation and recognition of those who have control of the knowledge and those who are being excluded from the process.

This series of examples illustrates the close link between knowledge and power. For those who are seeking to improve the health of communities, groups and individuals, it is critical that knowledge and understanding are shared. When this happens, decisions that are taken are recognised as being mutually derived and mutually beneficial. Such decisions need to be made, however, with an understanding of how power and knowledge are used. At times, they are shared for the general community good. At other times—even with a perception that it is for community benefit—knowledge (and with it power) is restricted to those on a ‘need-to-know’ basis and those who control the dominant view. The challenge, therefore, is to minimise the restriction of knowledge and to maximise the sharing of information.

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