

WHEN GOVERNMENTS MAKE MISTAKES

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Do governments make mistakes? Do they get things wrong, for whatever reason?

Yes, assuredly. History, ancient and modern, tells us that. We don't have to look far in today's world to find plenty of examples.

Do governments *admit* to their mistakes?

Sometimes. But on the whole, the answer probably is – only when they have to. Governments are made up of fallible people, just like us. Confession might be good for the soul, but most of us probably would rather not admit our errors publicly. And when the political stakes are high, governments aren't going to hand their opponents an opportunity to demonise them. So when confronted with an awkward question, governments – just like people - can:

- Ignore it and just plough on
- Obfuscate and stonewall
- Redefine the issue to make a mistake look like a success
- Deflect the issue by attacking their critics
- Delay a response
- Avoid a response

....and that's just for starters. A British television series, *Yes Minister*, which has abiding popularity in Australia, explores the fallibility of politicians and bureaucrats, not only with great humour, but also considerable humanity and insight. I recommend it for further study.

One of its leading characters, the archetypal bureaucrat Sir Humphrey Appleby, was much given to educating his Minister, the Hon. James Hacker, on how governments manage awkward questions. Here's a typical piece of advice:

"It is axiomatic in government that hornets' nests should be left unstirred, cans of worms should remain unopened, and cats should be left firmly in bags and not set among the pigeons.."

And again: “Almost anything can be attacked as a failure, but almost anything can be defended as not a significant failure. Politicians do not appreciate the significance of 'significant'. “

And finally: 'We have decided to be more flexible in our application of this principle' means 'We are dropping this policy but we don't want to admit it publicly”

What happens when governments make mistakes that affect us as archivists? What is our obligation? What can we do to change things? Can we change things? Or are we powerless?

Advocacy is about promoting and arguing for your point of view. And whether we like it or not, archivists are advocates. The very act of selection and preservation is inherently an activist, political statement – we are asserting our values. And they are values that not everyone will necessarily agree with. The shocking history of the deliberate destruction of archival collections in the 20th century tells us that. We want to preserve history: our values are the opposite to those who want to rewrite it. Do you recall the Nazi book burnings in the 1930s, the destruction of records by Cambodia's Khmer Rouge in the 1970s, the destruction of the National Library of Sarajevo in Bosnia Herzegovina in the 90s?

I think this is the point in the conference where I need to stop politely stepping round an issue and tell it like it is. As a former staff member of the NFSA but now a private consultant, I have a freedom to speak out that I might not have had a few years ago. And, as I hope you'll understand by the end of this talk, I have felt an ethical obligation to do so. What I'm about to say covers a very specific set of circumstances affecting a particular institution. You may never confront a comparable situation. But I think there are some abiding principles or lessons that may be useful in your own situations, now or in the future. And the opinions I express, of course, are mine alone.

Many within the SEAPAVAA region have observed, with concern, two developments which have affected the NFSA in recent years. The first was the unexplained name change to ScreenSound Australia in 1999 – a mistaken decision that was reversed five years later after sustained complaint, led by the persistent advocacy of the Friends of the NFSA. The second development was the subordination of the Archive to the Australian Film Commission in 2003 – also a mistake, whose consequences came close to threatening the survival of the NFSA as an institution. I want to look at the second event briefly as a case study. I should add that everything I'm about to say is public knowledge – I'm not betraying any secrets – and all the documents I refer to are publicly available.

A little history. In May 2003 the government unexpectedly announced that as a result of a review of cultural institutions, the NFSA was to be “integrated” with the AFC because they had “synergies” between them. Beyond that, no reason for the action was given. And still hasn't been. The AFC Act was altered to accommodate this change, which took effect on 1 July 2003. All of us cautiously gave it the benefit of the doubt and waited to

see what would happen. But concerns began to grow, and then on 12 December 2003 the AFC released its plan for the NFSA – it quickly became known as “Directions”.

It was a bombshell. It envisaged the effective dismantling of the institution and destruction of its corporate memory. Public reaction was swift. It’s not often that archives get on the front page of daily newspapers, but for a whole week it was the biggest story in Canberra. I’m just going to flip through some of the coverage. Can you imagine people literally coming out on the streets in defence of an audiovisual archive? It happened. And it was enough to force the AFC to back down from some of its more draconian ideas.

What followed was a kind of protracted, three year tug of war between the AFC and the NFSA’s constituency – individuals, organisations and various professional and advocacy groups. This produced a long sequence of media articles, submissions, resolutions, petitions, questions in parliament, newsletters and correspondence. It was quite a saga which one day, I hope, will be properly edited into a history. In the meantime, you can read some of the source documents on websites.

Was this tough on NFSA staff, who were caught in the middle? Of course it was, and as professionals they had to work out how to manage it. Was it tough on those in the advocacy groups? Yes, because they were publicly subscribing their names and lending the credibility of their organisations to stances which were at variance with official government policy. Sometimes that took more than a little courage. It also took great energy and persistence by people who were doing this, after all, on a voluntary basis and with few resources.

It’s too complex a story to cover in a brief paper, so I’m going to fast forward now to the present state of play, and to a document which more or less draws together the threads of those three years of public advocacy. It’s a 20-page statement entitled *Independent statutory authority status for the National Film and Sound Archive*. It was released in July this year. It encapsulates the essential arguments and demonstrates – clinically and unemotionally – why the NFSA’s subordination to the AFC has not worked and, most importantly, why it can *never* work effectively, because it violates fundamental archival principles.

It took six months and numerous drafts to prepare, and was jointly authored by four of the advocacy groups:

The Australian Society of Archivists
The Australian Historical Association
Archive Forum
The Friends of the NFSA

Briefly, its main arguments are:

- The AFC Act does not provide an adequate basis for a national memory institution. It does not even recognize the existence of the NFSA, who survival is therefore inherently at risk
- The NFSA is by nature a permanent entity, but is under the control of an inherently impermanent body, without safeguards for its continuity beyond the AFC's life.
- Reformation of the AFC to embrace an NFSA which is much larger than it never happened
- The dynamic of the relationship militates against the protection of the NFSA's institutional integrity and autonomy
- The NFSA has lost the governance protections available to all other national memory institutions
- A satisfactory legal deposit regime is not possible under the AFC Act
- The present arrangement has failed to gain the support of the NFSA's constituency (note that – our views matter!)

And the statement proposes a course of action. It says the NFSA needs to become

- A permanent, autonomous national institution with its own statutory base and legal personality
- Thereby have its role, functions, identity and powers recognized in law, and hence:
- Formalise the de facto autonomy with which it operated from 1984 until its integration with the AFC in 2003.

It's not difficult to achieve that, provided there's the political will. And it's hardly revolutionary. It's exactly what the government of the day intended when the NFSA was created in 1984, because it's basically what the other national memory institutions already have.

In other words, what these advocacy groups are saying to the Government is:

- You made a fundamental mistake in subordinating the NFSA to an inappropriate organisation.
- You made it because you reached a decision in secret without consulting with the NFSA's peers and constituents
- You didn't have a cogent rationale or philosophical basis: at least, not one you were willing to share publicly.
- As a result you made promises which couldn't be fulfilled
- The problem won't go away until the mistake is recognized and fixed.

By definition, the problem cannot be corrected by the Australian Film Commission. They are bound by their Act and by the Government's decisions. They are accountable only for the way they implement their mandate, not for the shape that mandate has taken. It is only the Government that can correct the fundamental mistake.

The statement was sent to every member of parliament, as well as the media and to other interested people. And it turned out to be prescient, because the very point it made about the impermanence of the AFC has since been highlighted by a new government review, currently underway, which is widely expected to result in the dismantling of the AFC and other bodies, and their replacement by a different structure. What this presages for the NFSA we don't know, so the uncertainty remains. And so the vigilance of the advocacy bodies must continue.

Let me reflect on the wider lessons of this experience for all of us

1 **Ethics** – As audiovisual archivists I believe we have an ethical obligation to protect our organisational structures. We can't take their survival for granted. When we talk about preservation it's always in terms of technicalities, storage environments, housekeeping and staff skills. But the most important part of preservation is the stability and continuity of our organisations. When we encourage people to donate or deposit collection material, we implicitly make them a promise – you can trust us to ensure this material is permanently preserved. If we are to honour that trust, we have an ethical obligation to protect the stability of our organisations.

2 **Empowerment** – not only the belief, but the knowledge and evidence that we, as individual professionals working together – can make a difference. Archives don't start and grow because a minister or a public servant says one day: "I know, let's set up a national audiovisual archive and give it lots of money." It happens because people like us make it happen. The whole story of audiovisual archiving in Australia – and I suspect most other countries – is the story of institutions and governments *responding* to grass roots activism. You can trace each development step by step.

3 **Consultation and engagement** – every archive has a constituency: a surrounding body of individuals and organisations to whom the archive is important and who will, if necessary, defend it. Their good will is crucial. The archive must keep in regular contact with them. The archive's governing authority – whether it be the government or some other entity – is wise to consult with them so that mistakes can be avoided.

4 **Vigilance** – the price of archival integrity is eternal vigilance. We cannot take the apparent security of our institutions for granted.

5 **Take risks** – Advocacy may involve some level of risk taking, of exposing oneself to challenge or even ridicule. We all take risks every day without thinking – even crossing the road to come into this hall is a risk. Are we willing to take risks in support of our profession?

So, when confronted with a government mistake, what are our choices? We can

- Do nothing and passively accept it
- Grumble and mutter in the background
- Go feral with wild public denunciations

- Work out a pro-active, constructive response on your own or with others

Assuming you would agree that the last option is the most appropriate, effective and ethical, how then do you bring about change – or, better, correction of a mistake?

10 Point Guerilla Guide: What you choose to do is going to be specific to your country and culture. Activism and advocacy does not work the same way in every country. In Australia our culture tends to be based on confrontation – government versus opposition, majority versus minority – whereas other countries seek change through consensus. Again, Australian culture assumes that everyone is (theoretically) equal – we like to cut down the tall poppies. That’s why a single passenger usually sits in the front seat of the taxi, next to the driver - not in the back seat. In other countries, respect for hierarchy, status and age are far more important. So what follows is based specifically on the Australian context and experience. Nonetheless, I hope it resonates.

1 **Be clear about your objective**, its practicality and its necessity. Be sure you’re right. Your objective must be principled, held with conviction, be in the public interest, and be able to withstand intellectual scrutiny. There must be no lingering doubt. Never let go of that knowledge

2 **It follows that your objective represents the *normative* situation** and that the present circumstances, no matter how apparently permanent, are actually *temporary*. Act accordingly. Don’t acknowledge or appear to acknowledge the permanency of an unsatisfactory temporary situation, either to others or (especially) to yourself. This is crucial to you own mindset. (Over the 5 years that the name ScreenSound Australia was promoted, I never used it by choice, never used it as a heading in my email directory, never *thought* of it as the real name. I continued, like many others, to refer to the Archive as the NFSA).

3 **Understand your opponents and their motives.** Avoid confrontation if you can. Avoid reacting emotionally – stay calm and collected, no matter what the provocation. Call them to account against objective standards and principles – not opinions. Don’t paint your opponent into a corner –give them an exit route. Give praise where it is due: be gracious. Focus on principles, not personalities. You are trying to achieve an objective, not to score points.

4 **Count the cost.** Activism can be stressful. It can impact on others beside you – your family, your friends, your associates. You may get public opposition. Your opponents may try to discredit you, dismiss you, misrepresent your arguments, question your motives, spread malicious rumours. If the conflict becomes bitter, there may be personal relationships you can never recover.

5 **Believe in your own capacities.** Don’t make excuses. You may not feel you are the most articulate/ most presentable/ most experienced/ cleverest proponent of your

cause. But you're the one on the spot. Your conviction will communicate more than the most elegant prose or interview performance

6 **Persist.** Delay and obfuscation are great bureaucratic weapons. Your opponents may try to tire and exhaust you, make you doubt that it's worth the trouble. "It's a poor bureaucrat who can't stall a good idea until even its sponsor is relieved to see it dead and buried".¹

7 **United we stand.** Build alliances. Several groups working towards the same objective is a stronger statement than a single group (no matter how large). But disunity is death: if the groups don't genuinely share a common objective and strategy they are unlikely to achieve much.

8 **Set the agenda.** Make opportunities, don't wait for them. Write an article, talk to the media, raise issues that your opponents don't want to discuss. Articulate your rationale. Be ready and able to cogently argue for your objective, from first principles if necessary, in all circumstances. Don't take the bait of responding to taunts in kind. Use due process wherever possible.

9 **Offer a solution, not a problem.** Be ready to offer a practical way in which your objective can be reached with, if possible, a win/win result. Think tactically and strategically. What is negotiable and non-negotiable in your position? Be approachable and ready to talk.

10 **Keep complete records.** Keep copies of all documents, media clippings, correspondence. Make a written record of meetings and conversations, and especially promises and agreements. Keep your records safe. Make and keep extra copies of key documents in more than one location. You will always know where you've been and what you've said.

And when the objective is achieved - *it doesn't matter who gets the credit.*

Without activism and risk, things don't advance. Yet even if you don't achieve your objective, your actions will be observed by others, and may well inspire others with or without your knowledge.

Robert Townsend² again, speaking from an American perspective:

"If you discovered how to eliminate air pollution for \$1.50 per state, the worst way to accomplish it would be to announce your discovery. You'd be amazed at how many people would oppose your scheme. The best way, if you could stay alive and out of jail, would be just to start eliminating it, state by state.

¹ Townsend, Robert: **Up the organisation** London, Coronet Books, 1970 p 51

² Ibid

“To get something done, involving several departments, divisions or organisations, keep quiet about it. Get the available facts, marshal your allies, think through the opponents defences, then go.”

As Margaret Mead famously said: “Never doubt that a small group of thoughtful citizens can change the world. Indeed, it is the only thing that ever has.”