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# Australia's remote workfare policy: Rhetoric versus reality of 'community' empowerment

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## Abstract

In 1977, Jones (in Bryson and Mowbray, 1981: 255) described the term 'community' as 'the aerosol word of the 1970s because of the hopeful way it is sprayed over deteriorating institutions.' They argued that the term is used to give the impression of community ownership over policymaking processes and outputs when the reality can be far different. This article discusses one of Australia's current workfare programs, the Community Development Programme (CDP), which operates in remote parts of the country as new welfare conditionality architecture for moving (mainly Indigenous) remote unemployed people off welfare and into work. It argues that, despite political rhetoric to the contrary, 'community' is marginalised in the program's design and implementation. Instead, CDP can be best conceptualised as a manifestation of neoliberal paternalism, whereby the governance practices of the state work *through* community organisations to enforce market principles and 'train' unemployed and poor people into pursuing 'freedom' within the bounds of market rationality. Through these modes of governing, Indigenous communities are instead strategically disempowered.

## Key words

Indigenous, neoliberal paternalism, remote, welfare, workfare

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*Critical Social Policy* 2021, Vol. 41(1): 4–24

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DOI: [10.1177/0261018319897056](https://doi.org/10.1177/0261018319897056) [journals.sagepub.com/home/csp](http://journals.sagepub.com/home/csp)

## Introduction

Jones (in Bryson and Mowbray, 1981: 255) described the term ‘community’ as ‘the aerosol word of the 1970s because of the hopeful way it is sprayed over deteriorating institutions.’ Others have also since examined references to ‘community’ in social policy as a benevolent term, which can be strategically used to imply progressive intent and community ownership or endorsement of social policies that are more often devised and implemented in a top-down manner, excluding the very communities they purport to empower and/or serve (e.g. Bryson and Mowbray, 1981; 2005; McDonald and Marston, 2002; Hancock et al., 2012; Mendes, 2017). In this regard, Bryson and Mowbray (1981: 262–264) argued that the *illusion* of community involvement in the design and delivery of social policy can serve as an intentional and duplicitous disguise for the extension of state power, particularly when community organisations are co-opted as tools for legitimising state agendas.

Although some scholars have considered more recent usage of the term ‘community’ within the international (e.g. Hancock et al., 2012; Dorow, 2016) and Australian social policy contexts (e.g. Mendes, 2017), none have focused on its usage in relation to Australia’s remote welfare-to-work policies.<sup>1</sup> Under Australia’s remote welfare-to-work policies, ‘workfare’<sup>2</sup> programs are delivered to unemployed people living in remote locations. These populations are overwhelmingly Indigenous and exist at the margins of Australian society, typically experiencing entrenched social disadvantage (DPM&C, 2019a). They are structurally disempowered, representing only ~3% of the population, and are rarely genuinely consulted and almost never engaged to lead policymaking processes about matters that have profound impacts on their everyday lives (Mansell, 2007; Maddison, 2009; Turner, 2018). Furthermore, Indigenous Australians currently have no formal, representative interface with the Australian Government (despite ongoing proposals), which sets Australia apart from other nations with similar colonial histories (e.g. New Zealand with its Treaty of Waitangi).

Many have argued that Treaty-making is key for empowering Indigenous Australians, though political discourses often equate ‘empowerment’ with mere involvement in the architecture of the settler state and/or enfold-ing Indigenous Australians into neoliberal imaginings of ‘success’ (Moreton-Robinson, 2007; Maddison, 2019). However, even where political discourses around Australian social policy refer to Indigenous ‘communities’ as key actors or even partners in social policy design, the rhetoric rarely matches the reality (Mendes, 2017; Turner, 2018; McQuire, 2017).

This article discusses one of Australia’s current workfare programs, the Community Development Programme (CDP), which has operated in remote parts of the country since mid-2015 as the most recent architecture for using welfare conditionality to move remote unemployed people away from social

welfare and into market-based employment. Indigenous Australians make up more than 80% of CDP participants. Drawing on documentary evidence available in the public domain (e.g. Hansard debates, ministerial statements, program documentation, submissions to relevant government inquiries), the article examines the role of 'community' under the CDP, including in its design and implementation/delivery. It concludes that, despite political rhetoric around the centrality of community, it is instead co-opted in the program's title, design and delivery as a means of disguising what is in reality top-down policymaking and program administration. This brings the program's racial and class dimensions into sharp relief, providing an example of how Indigenous Australians continue to be treated within a settler state that claims to have their best interests at heart. Ultimately, the article argues that CDP can be best conceptualised as a manifestation of neoliberal paternalism, whereby the governance practices of the state work *through* community organisations to enforce market principles and train those who are unemployed and poor into pursuing individual 'freedom' within the bounds of market rationality (Soss et al., 2011; Segal, 2006). Through this approach, Indigenous 'communities' are strategically disempowered.

## Context of welfare conditionality in Australia

The Australian welfare state has long been characterised by a central belief that a job is the best form of welfare (Marston et al., 2014). Although it expanded during the 1900s, particularly after WWII and then again in the 1970s, social welfare provisions have nevertheless consistently been heavily means tested and more often viewed as a fall-back measure than a fundamental right of citizenship (Smyth, 2011; Watts, 1999; Shaver, 1987).

The deep-seated belief in the market as the best (or only) form of welfare has intensified in recent decades. Welfare is now regularly recast as a cause of disadvantage – a latent toxicity that must be solved through market-based responses, which primarily focus on preparing people (and in particular, Indigenous Australians) to be 'good' citizens and ready for work (Moreton-Robinson, 2009; Wacquant, 2009). This has occurred through the introduction and intensification of active labour market policies, including increased welfare conditionality (Deeming, 2016), reflecting international trends (Martin, 2014). In many other parts of the world, including the United Kingdom, United States of America and New Zealand, workfare policies have also become increasingly punitive, often now involving coercive behaviouralism (Abramovitz, 2006; Ware et al., 2017; Fletcher and Wright, 2018). In this regard, Fletcher and Wright (2018, 325) described welfare reform as a 'global workfare project', under which welfare recipients are increasingly responsabilised and structural causes of poverty ignored or downplayed (Foucault, 2004

[1978-79]; Hache, 2007; Trnka and Trundle, 2014; Deeming, 2016). These changes have occurred alongside the broader ascent of neoliberalism from the 1970s onwards.

As in other parts of the world, neoliberalism in Australia has been most visibly expressed through increasingly conservative fiscal policies that focus on the pre-eminence of budget surplus (typically pursued by lowering income and corporate tax, and by cutting public expenditure), and a dogged belief in market liberalism (primarily pursued through deregulation and privatisation) (Stilwell, 2018). Under neoliberal reforms, public expenditures to low-income households are more often targeted for cuts, while corporate tax is typically ignored (Marston et al., 2014), embedding an innate 'anti-egalitarianism' (Stilwell, 2018).

There is now a large body of literature recognising that neoliberalism can manifest in different ways across time and space, including in ways that involve heavy state intervention as a means of protecting neoliberal orthodoxy (e.g. Harvey, 2005; Bruff, 2014; Brady and Lippert, 2016). For instance, by devoutly pursuing individualism, neoliberalism can also actively deny individual agency to choose and pursue collectivism (Harvey, 2005; Bruff, 2014). In a more recent turn, some have also proposed the concept of neoliberal paternalism, whereby neoliberal governments operate as disciplinary authorities that actively protect and advance market mechanisms (Soss et al., 2011; Whitworth, 2016). In this respect, 'The key developments [of neoliberalism] have not occurred along the quantitative dimension of more versus less state intervention. They have focused on how the state is intervening, for what purposes, and for whose benefit' (Soss et al., 2011: 38)

This article explores Australia's CDP as a unique context within which these technologies of government unfold, though one that – it is argued here – reflects a broader transnational workfare project, as described by Wacquant (2009) and others (Fletcher and Wright, 2018). The article examines the role of 'community' and explores the turn to neoliberal paternalism within this specific geographical and temporal context. This enables deeper consideration of the contextualised ontological, ascetic, deontological and teleological nuances of neoliberal paternalism, as called for by Whitworth (2016). The racialised nature of neoliberal paternalism is particularly apparent in the case of CDP and thus, this article also builds on existing international studies that see neoliberal workfare policies as part of a broader continuation of racialised and classed governing practices, or what Ware et al., (2017: 500) term a 'colonial governing project'. In Australia, this follows a long history of violent colonisation, which has seen the intentional destruction of Indigenous peoples, relationships, knowledges and technologies as a technique for substantiating colonisers' claims to an imagined *terra nullius*. First, the following sections describe the nature and approach of CDP.

## What is the CDP?

Although government pensions and benefit schemes were introduced not long after Australia's federation, a more complete 'welfare state' emerged after WWII (Shaver, 1987). Since then, welfare has fluctuated from being viewed as a residual fall-back measure to a fundamental component of citizenship (Smyth, 2011). From 1986 onwards, 'active labour' policies have placed increased conditions on the receipt of welfare for unemployed people, requiring them to undertake job-preparation and job-search activities to receive welfare benefits (Deeming, 2016). These policies recast the 'problem' of unemployment as a failing of the individual rather than the system and, while some groups were originally excluded (e.g. disable people), they have also now been increasingly 'activated' in broader moves to retrench welfare for working-age Australians (Grover and Soldatic, 2013).

While Australia's workfare policies reach across the continent, different approaches have been taken in urban and remote areas. Remote employment policies, operating in areas where populations primarily constitute Indigenous Australians, have also gradually intensified their focus on mutual obligation and activation over recent decades. This has been coupled with ongoing political myth-making about remote Indigenous communities as intensely dysfunctional and in need of ever-increasing scrutiny and supervision (Bielefeld, 2018).

In its original format, the Community Development Employment Projects (CDEP) scheme (1977–2015) provided lump-sum grants (roughly equivalent to what would otherwise be provided as unemployment benefits) to remote communities to be distributed as pay for what communities identified to be locally-useful work (Sanders, 2012). Funds were typically provided to and distributed by local councils (Sanders, 2012). CDEP ran (though with some changes) until it began to be phased out in 2007 and was completely removed in 2015. Since 2007, when CDEP began to be phased out, a series of four further employment programs have operated in remote Australia, the most recent of which is CDP (Staines, 2017).

The introduction of the CDP in 2015 came soon after the 2013 change of federal government, in which the outgoing Labor Government's remote employment program was described by the incoming Minister for Indigenous Affairs, Nigel Scullion, as being 'introduced hurriedly by the former Government in its dying days in 2013 [and as having] failed local communities because it wasn't geared to the unique social and labour market conditions of remote Australia' (Scullion, 2014). Scullion announced in December 2014 that his government would 'embark on a major reform of employment services in remote Australia to put an end to sit-down welfare', providing an early indication of the strict 'activation' focus of CDP (Scullion, 2014). Although Scullion described a need for significant change, the CDP did not

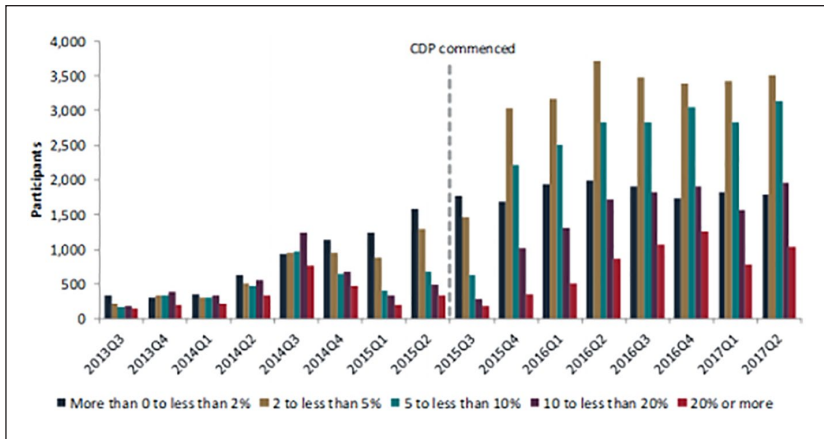
represent a strong departure from the previous program (aside from reduced funding) (Staines, 2017).

Under CDP, there has been little attention paid to structural causes of unemployment in remote Australia, such as weak labour markets. Instead, the program has introduced a more intensified focus on work-for-the-dole (WFD) activities than previously seen in remote Australia, with requirements that participants undertake up to 25 hours per week of WFD activities (beginning immediately upon commencement with the program) for 52 weeks a year (ANAO, 2017).<sup>3</sup> This is more than the 25 hours per week over only six months (equivalent to ~12.5 hours per week overall) required under Australia's equivalent urban program, JobActive. Under JobActive, participants also have a twelve-month window upon commencing income support where WFD is not required. Alternatively, CDP participants must commence WFD immediately upon receiving income support.

CDP is implemented under a quasi-market model, whereby service providers tender for contracts to deliver the program (ANAO, 2017). Providers receive service payments of up to \$4,000 per participant annually to administer the program, and up to \$12,450 per participant annually to deliver WFD activities. They can also receive once-off outcome placement payments when participants move into and stay in work for 26 or more weeks, though this represents a reduction in possible outcome funding from previous programs (Staines, 2017).

Under the CDP compliance framework, participants can receive 'no show no pay' (NSNP) penalties for failing to attend WFD activities; they lose one day's payment for each NSNP penalty applied (AG, 2018). Penalties can also be applied if participants fail to attend scheduled appointments with their CDP provider and 'serious failure' penalties are applied where participants either accumulate three NSNP penalties within a six-month period, or refuse suitable work. Under these circumstances, their income support can be suspended for up to eight weeks (Fowkes, 2016a). If a participant re-engages before the end of the eight-week suspension period, their payments may be reinstated earlier, but there is rarely back-pay for missed payments (Fowkes, 2016a).

There has been considerable attention given to the punitive nature of CDP in the media (e.g. Hayman-Reber, 2018; Davidson, 2016), by practitioner networks (e.g. Jobs Australia, 2018; NESAs, 2017), and in the academic literature (e.g. Fowkes, 2016b; Kral, 2016; Altman, 2017; Staines, 2018). More participants have received financial penalties under CDP than ever before recorded in remote Australia (Fowkes, 2016a, 2016b) and the overall volume of payments being withheld as a result of penalties has increased (DPM&C, 2018a: 36) (see Figure 1). Welfare payments withheld under CDP are returned to the Australian Government's consolidated revenue (SSCFPA,



**Figure 1.** Number of participants with penalties by proportion of payments lost before and after CDP commenced.

Source: DPM&C, 2018a, 37.

2017: 16), which aligns with neoliberal strategies around shrinking the welfare state (Abramovitz, 2006).

Research has begun to demonstrate the negative impacts non-payment periods can have on the general health and wellbeing of CDP participants, some of whom have gone without food, been unable to afford housing payments, and have turned to poverty-driven crime, such as theft (Kral, 2016; Paterson, 2016; Jordan, 2016; Staines, 2018). These circumstances likely create new barriers to employment, and/or further entrench existing ones.

The number of participants moving off welfare by disengaging with CDP has increased when compared to Australia's previous remote employment programs (DPM&C, 2018a). In particular, 'of those participants penalised in the first quarter of 2016, one in sixteen [ $\sim 6\%$ ] exited off income support payments that year without having any record of an employment outcome' (DPM&C, 2018a: 45–46). It is unclear where these individuals ended up; administrative datasets do not track them beyond this point. Although 26-week employment outcomes have improved by  $\sim 1\%$  under CDP, there is no way of knowing how individuals fared after this time, and no indication of whether the jobs they moved into were appropriate, meaningful, sustained, and/or resulted in sufficient income (DPM&C, 2018a). Even so, there have been numerous claims by politicians that CDP has been a 'success', including in terms of its ability to engage and empower Indigenous communities (Scullion, 2017, 2018; SSCFPA, 2017; Staines, 2018). However, as the following sections argue, CDP has been anything but empowering for Indigenous communities.

## Co-opting ‘community’ under CDP

Bryson and Mowbray (1981: 256) described the term ‘community’ as ‘one of those “motherhood” words which . . . tends to be accepted as indubitably a good thing.’ In particular, the authors drew attention to common usage of the term to refer to cooperative, harmonious and inclusive collectives of people, united through common objectives and modes of being. However, this often fails to reflect the reality, whereby communities can also be sites of extreme discontent, power struggle and oppression (Tesón, 2016). Usage of the term also regularly fails to grapple with what constitutes a ‘community’; for example, whether this is defined by geographical boundaries, historical or cultural ties, or through some other means.

For the purpose of CDP, ‘communities’ are defined through geographical boundaries.<sup>4</sup> The remote Indigenous Australian ‘communities’ in which CDP is implemented are typically made up of disparate clan groups who were forcibly removed from ancestral lands under racist colonial policies and required to live within the confines of what mostly began as reserves and missions (e.g. Harris, 2003; Cunneen, 2001). Thus, the very definition of ‘community’ under the CDP is shaped by Australia’s violent history of colonisation, highlighting the fact that the notion of ‘community’ itself can be fiercely contested and can also be a site of extreme heterogeneity. However, despite the limitations of defining ‘community’ in this way, and while acknowledging heterogeneity within these geographies, this definition is nevertheless employed in this article because it aligns with political discourses around CDP – the key focus of this article. Thus, the term ‘community’ is used here to refer to individuals living within the geographical boundaries recognised under CDP, as well as community collectives in the form of ‘community organisations’, which often act as service providers that deliver CDP.

The remaining sections of this article explore the level and nature of involvement of these communities in the design and delivery of CDP as a means of testing political claims. In doing so, the article aims to demonstrate the extent to which Indigenous communities are disempowered under CDP, and discuss how this runs counter to political rhetoric.

### *The role of ‘community’ in the design of CDP*

The Australian Minister for Indigenous Affairs, Nigel Scullion, said in late 2014 (when CDP was still being designed) that ‘I am determined to ensure that communities help us frame the activities that suit their particular needs and circumstances’ (Scullion, 2014). The Australian Government (2018: 2) has subsequently described CDP as being ‘informed by extensive consultation with communities, providers, stakeholders and Aboriginal and Torres Strait Islander people’ and as being ‘designed for remote Australia.’ Scullion (2015,



1) stated, 'These changes are the result of what communities have been telling me for years that they want – vibrant places where people are engaged, active and where there are real employment and business opportunities.'

Later, Minister Scullion (2016, 1) stated that he had 'visited more than 150 communities on more than 200 occasions to talk with communities about the CDP and . . . [was] committed to continuing to engage with communities.' However, there is no information available on the public record to indicate whether this refers to formal consultation, who he engaged with during these visits, the specific nature of feedback, or whether the feedback he received was either officially recorded, tabled or integrated into CDP's design. Further, there is no other detailed information publicly available about the extent or nature of consultation undertaken by the Australian Government to inform the design for CDP. In the absence of detailed documentation, it is necessary to turn to other evidence available on the public record. This evidence – often arising from members of the very 'communities' that were apparently involved – provides a contrast to official lines about the consultative design of CDP.

In a submission to the 2017 inquiry into the design, implementation and evaluation of CDP by Australia's Senate Standing Committee on Finance and Public Administration (SSCFPA), Jobs Australia (2017), the peak body for Australia's employment service providers, noted that the CDP design and implementation process was announced in December 2014 and communities were told the Government would discuss these with them on a community-by-community basis. The changeover was quick: 'Suddenly, there was CDP. We had to learn a new way' (APY Lands community resident in *Uniting Communities*, 2017: 3). The Indigenous Ngaanyatjarra Council (2017: 9) described CDP as a 'knee-jerk' reaction and representative of a 'we know best attitude by government' while the Director of the Nurra Kurramunoo Aboriginal Corporation is on the parliamentary record as stating 'There was never really any true direction to advise us exactly what the changes were from [the previous remote program] to CDP or why these changes had been made' (Thomas in SSCFPA, 2017, 15). Other submissions to the SSCFPA also heavily criticised the consultation process as being limited and exclusive (e.g. Sanders, 2017; Fowkes, 2017; NESAs, 2017). Former Minister for Aboriginal Affairs (1978–1980), Fred Chaney and former senior federal public servant Bill Gray (2017: 2) stated, 'Government moved swiftly and without consultation to introduce CDP following the present Minister's declaration that the previous . . . [program] was a disaster.'<sup>5</sup>

The available evidence indicates that the design of CDP was undertaken in a top-down and non-consultative manner (Kral, 2017; NESAs, 2017), contradicting Government rhetoric about community ownership of the program design. Peak body, NESAs (2017: 3), stated that 'The experience of our member base was that the process was largely top-down, and offered little in the

way of opportunity to provide feedback, seek input from communities or influence changes to the program.’

The experience under CDP reflects broader trends, which have seen successive Australian Governments do a generally poor job at consulting (and an even worse job at empowering) Indigenous peoples and communities in policy and program design (e.g. Northern Territory Elders and Community Representatives in Scott and Heiss, 2016; Watson, 2016). Even where consultation does occur, if there is no genuine opportunity for communities to influence policy design, then it represents mere tokenism (Turner, 2018). When discussing the consultation process involved in CDP’s predecessor program (which ran from 2013–2015), Fowkes (2017: 4) reported being told by a senior government official of the Department of Employment that:

There is a machine – and it’s a well-oiled one – around designing an employment service model, so once you stick it in that machine . . . before you know it has come out like something . . . it’s that hammer-nail thing . . . like what you had before.

The fact that Minister Scullion was, as early as late 2013, describing the need for a new program that would address his (and colleagues’) own framing of the remote unemployment ‘issue’ – namely that ‘people [weren’t] turning up for work and . . . [were] returning to alcohol’ – and evidence that the reforms were announced *prior* to any community discussions taking place, indicates that even if consultation *was* undertaken, there was limited opportunity to influence these already-made design decisions (Scullion, 2013: 1). This is punctuated by the reality of severe incrementalism in Australia’s remote employment policy development since 2007, indicating a broader inability to think beyond what has come before (Fowkes, 2011; Staines, 2017).

### ***The role of ‘community’ in the implementation and delivery of CDP***

The Australian Government’s descriptions of CDP have focused on its apparent ability to empower communities to drive local social change. In late 2015, Minister Scullion stated, ‘further reform to the income support system is required for remote communities to drive the behavioural changes needed to get people active, off welfare and into work.’ (Scullion, 2015: 1) Part of this strategy has involved tendering the delivery of CDP out to the third sector through New Public Management (NPM) contracting arrangements. Increasingly, there has been a focus on procuring social services from Indigenous community organisations<sup>6</sup> as a means of both ‘strengthen[ing] the Indigenous business sector’ (DPM&C, 2015, 6) and achieving greater community control (Scullion, 2016). In 2016, Scullion stated ‘I remain

committed to . . . [ensuring] local communities have more control [of CDP], including through the delivery of the program by local providers rather than Centrelink.’ (Scullion, 2016: 1) The Minister later described Indigenous service providers as being ‘fundamental’ to CDP’s success (Scullion, 2018).<sup>7</sup>

There are a number of benefits that can be realised through the engagement of Indigenous organisations to deliver services to Indigenous communities (e.g. Stewart et al., 2011). However, as the below sections demonstrate, engagement is not a proxy for devolving control, particularly when organisations are captured by centrally-defined and administered program objectives.

*The role of community organisations under inflexible contracting arrangements.* The Department of Jobs and Small Business (2018) describes CDP as ‘Flexible and focused on local decision making and local solutions.’ However, any flexibility that rested with providers under the previous workfare program – for example, to recommend penalties and/or organise activity hours – was removed under CDP (Fowkes, 2017: 4). The SSCFPA (2017: 12) noted that CDP represented a move ‘away from a community-controlled employment scheme to a program administered centrally by DPM&C’. Similarly, Fowkes (2016c) documented the strict bureaucratic control of providers under CDP, arguing that there has been ‘even greater centralisation of control’ than under previous programs.

Under the CDP Program Management Framework, providers are subject to strict performance management; they must comply with centrally-established key performance indicators or otherwise risk having their contracts discontinued. This is illustrated in a ministerial brief from the Department of Prime Minister and Cabinet, where it was noted that:

[CDP] providers are getting much better at delivering the administrative aspects of the program . . . It is important to get these basics right . . . Overall the results are positive and reflect the Department’s continued focus on performance management . . . We will continue to work with providers to address performance issues and take strong action against those that are unable or unwilling to address ongoing and consistent poor performance (DPM&C, 2017: 3–4)

In a 2015 employment service provider forum, Minister Scullion (in Fowkes, 2016c: 13) is reported as having told CDP providers that they are the ‘delivery arm of government . . . [and] if you are not doing well I will get someone else to do it’. This contradicts the Minister’s own rhetoric about the role of Indigenous service providers in exerting greater local control over CDP (Scullion, 2016). Under these circumstances, even if Indigenous community organisations are engaged to deliver CDP, the potential benefits this might hold are substantially undermined. Similarly, Bryson and Mowbray (1981: 262) warned that:

the notion [of] community management tends to obscure the question of the degree to which there is, or may be, local autonomous control. Since only certain types of services are funded, and only in accordance with decisions made centrally, and since matters ranging from operating guidelines, to numbers and qualifications of staff and height of the toilet bowls are covered by centrally determined regulations, the community management label may misrepresent the real situation of tokenism

Instead of having any real autonomy or ability to adapt the program to meet community needs, CDP providers are disciplined into conforming to program requirements and rules established in faraway places and typically by non-Indigenous actors (Sullivan, 2011). This echoes the experiences of Māori providers under New Zealand's neoliberal workfare policies (Ware et al., 2017) and the broader literature on the effects of neoliberal outsourcing to community organisations (McDonald and Marston, 2002).

*Community organisations and community interests.* Community organisations may or may not be representative of the interests of the communities in which they operate. Because of the inherently heterogenous nature of most communities, even where organisations represent *some* community interests, they will rarely (if ever) represent all. On this basis, community organisations can be poor stand-ins for the pursuit of community-based collective self-determination and may also (intentionally or unintentionally) act against the interests of their communities.

As discussed above, CDP providers must abide by strict program rules in order to keep their contracts and maintain their existence. Considine and Nguyen (2014) argued that, when placed under strict accountability arrangements, employment service providers tend to become more 'businesslike', spending more time on administration and pursuing financial outcomes in order to survive in a market where funds allocated to their work are increasingly 'squeezed' in pursuit of greater fiscal efficiency (Considine and Nguyen, 2014; Fowkes, 2016c). However, this may skew the work of these providers.

Some research has indicated that there are implicit financial incentives with contracted employment programs, including (but not limited to) CDP, which encourage providers to engage in 'creaming and parking': focusing on participants who have fewer barriers to employment so that they can recoup their costs through successful outcome payments, while simultaneously paying less attention to those experiencing multiple and complex employment barriers (Carter and Whitworth, 2015; Staines, 2017). Under CDP, for instance, providers can make ~\$12,450 per participant annually by keeping them in WFD activities as opposed to 'taking a risk' (CDP provider in Fowkes 2016c: 14) that a participant will stay in employment for 26 or more weeks so the provider can recoup a once-off \$7,000 outcome payment (ANAO, 2017;

Fowkes, 2016c). These financial incentives likely influence some providers' actions and may collide with and/or contradict the pursuit of community-relevant social objectives concerning employment and/or other related outcomes. In this regard, the mechanisms through which remote employment policies are delivered mean that political discourses around the importance of engaging Indigenous organisations to devolve control and realise community-driven social objectives are misleading.

Overall, the available evidence indicates that communities were not involved in the design of CDP and are not empowered in its implementation/delivery. This stands in contrast to rhetoric employed by the Australian Government that strongly emphasises the centrality of communities under the program. In response, the remaining sections briefly explore a different lens through which CDP can be viewed, drawing on the concept of neoliberal paternalism.

## **CDP through a different lens: Disempowering 'community' and extending state control**

In many ways, contracting arrangements for CDP reflect broader shifts towards neoliberal outsourcing elsewhere across Australia and internationally (Jose and Burgess, 2005; Eardley, 2003). For instance, CDP is characterised by typical neoliberal objectives of cost-cutting and outsourcing as a means of achieving greater efficiencies (SSCFPA, 2017). However, under CDP, neoliberalism does not represent a 'roll-back' of the state; instead, the state is powerfully interventionist. In this respect, CDP is arguably better interpreted through the concept of neoliberal paternalism, which has been used to describe the extension of coercive state power through the mechanisms of neoliberalism, including contractual relationships with third-sector providers (Soss et al. 2011; Schram et al., 2008).

Whitworth (2016: 415) argued that neoliberal paternalism holds 'conceptual and empirical potential', but is muddied by internal contradictions in the way it has been applied, including to workfare policy. This fuzziness arises from different imaginings of its ontology (i.e. understanding of the subject being governed), ascetics (i.e. modes of governing subjects), deontology (i.e. conceptions of why subjects adhere to moral codes) and teleology (i.e. the end point to which it strives, which encompasses a new imagining of the subject). The remaining sections respond to this critique by examining how neoliberal paternalism operates in the specific context of CDP, including along these four dimensions.

CDP is deeply racialised, both in terms of its disproportionate application to Indigenous subjects, and in terms of how subjects are ontologically constructed. Ontological imaginings of subjects under CDP perpetuate the colonial view of Indigenous Australians as irrational, sub-human and in need

of heavy moulding as a means of restraining their inherent savagery (Moreton-Robinson, 2009; Whitworth, 2016). Indigenous lives are portrayed as being lived in a perpetual state of dependence on alcohol and welfare (e.g. Scullion, 2013). CDP promises emancipation from these imagined constraints, but only through transition into the formal economy or 'busyness' in the form of WFD, which serves to keep idle hands occupied and constrained while also providing a training ground for the marketplace. In this manner, CDP seeks to 'push [subjects] into responsibility', since they are viewed as being unlikely to find their own way there (Whitworth, 2016: 417).

The teleological objective of CDP is, thus, not just of 'active' subjects, but of compliant subjects; those who accept 'or at least quietly tolerate . . . the imperative within the moral code to participate in the labour market in whatever form it is presented to them and in whatever role they are mandated to perform' (Whitworth, 2016, 419). Discourses of pathology provide a means to 'discipline Indigenous people to be extra good citizens' – citizens who define and practice freedom *through* the market (Moreton-Robinson, 2009, 63; Soss et al. 2011; Segal, 2006). This is to be achieved through the ascetics of hard paternalism, effected through the bureaucratic practices of neoliberal governance (Moreton-Robinson, 2009). In this regard, CDP is severely limiting of the role of community.

Community members were excluded from the design of CDP and, while community organisations are engaged in its delivery, they are hamstrung and unable to adapt to local community needs. Through the centrally-designed program, the state exerts significant power over the objectives and functions of providers who must, in order to maintain their contracts (and sometimes existence), ensure strict compliance with the program rules. Where providers step out of line, they are disciplined through state-led performance management. If they still fail to comply, their contracts are not renewed.

Through CDP, the state also exerts significant power over participants, who must submit to extensive intrusion into their lives in order to receive income support payments. For example, they must undertake up to 25 hours per week of WFD and attend regular appointments with providers, severely diminishing their temporal autonomy and ability to participate in cultural activities or care for loved ones (Staines, 2018). It also undermines their geographical autonomy, tethering them to remote communities (which are post-colonial artificial constructs) so that they can fulfil their participation obligations, as opposed to being able to visit remote outstations and stay on traditional lands.

Through neoliberal governing practices, the paternalistic objectives of CDP can be applied in a less visible manner and at arm's length. It is no longer government officers who act as the face of coercion, but instead community organisations that are co-opted to assume the role of 'enforcers' and disciplinarians in ensuring participants comply with program rules (Bielefeld, 2016). Through these techniques, the deontological dimensions of CDP, or

the mode of ensuring organisations and participants yield to the moral codes embedded in the program, become more visible.

The system into which both providers and participants are coerced drip feeds income (in the form of service delivery contracts and welfare support) on the *basis* of compliance. Where organisations or participants do not submit to this top-down governance and comply with settler norms, they are cast adrift from the system altogether. Some may *choose* to be cast adrift, rather than remain in submission. For organisations, this may mean the difficult choice of walking away from the CDP contract, leaving a void that will be filled by yet another provider, which may or may not be either locally-led and/or Indigenous. Where participants do not comply with the program, their welfare payments are suspended until they re-engage. If they do not re-engage, their payments are stopped altogether and they are forced off the public aid rolls (Wacquant, 2010). Because the effects of violent and ongoing colonisation have dramatically eroded sovereign practices of living *beyond* the settler state, any 'choice' to disengage with the system is more illusory than real.

CDP shows that race is ever-present in Australian social policy, representing the manifestation of 'Otherness' that social policies, such as CDP, work to systematically eliminate. Under CDP, providers and participants are governed in ways that not only serve to perpetuate status quo power relations, but also to ensure that Australia's most marginalised and disadvantaged groups are even further disempowered (Goodin, 2002; Taylor et al., 2016). Thus, CDP is less about 'community', and more about the ongoing and relentless march of colonisation, cloaked in neoliberal paternalist modes of governance that ensure the rigorous pursuit of individualism and render Indigenous Australians' (traditionally collectivist) life worlds as non-normative and problematic. Far from being a benevolent term (Bryson and Mowbray, 1981), the 'C' in CDP is arguably better understood as hollow rhetoric that serves as an effort to mask the reality of power struggle, submission and resistance.

## Conclusion

Although 'community' is imagined in government discourses about CDP, it is relentlessly undermined through the program's design and implementation. In reality, CDP was both designed and is delivered in a top-down manner, representing a manifestation of neoliberal paternalism, whereby neoliberal modes of governance are utilised to enact paternalist social policy that seeks to protect neoliberal orthodoxy. The control and discipline exerted through CDP achieves this end, cascading downwards from the state, re-manifesting in providers, and deeply governing the everyday lives of participants in a way that not only elevates settler normative assumptions about individualism and work, but also suppresses Indigenous rights and cultural identities.

This reflects research into other international workfare programs that also disproportionately affect Indigenous populations (e.g. Ware et al., 2017). CDP is therefore neither inclusive nor empowering of community. It is, instead, more akin to an unapologetic ‘straightjacket’, which has the effect of eroding autonomy and choice (Davis, 2016: 73–74) and perpetuating – rather than systematically addressing – Indigenous disadvantage. This disingenuous mobilisation of ‘community’ in political rhetoric (again) draws attention to the need for serious discussion about Treaty-making as a means of upholding Indigenous Australians’ rights, which otherwise continue to be persistently ignored or eroded within the architecture of the settler state.

## Acknowledgements

I would like to thank Professor Greg Marston and the journal’s peer-review team for their helpful feedback and suggestions on a previous version of this article.

## Funding

The author received no financial support for the research, authorship, and/or publication of this article.

## Notes

1. In this context, the term ‘welfare’ is used to describe social security benefits paid to non-employed people who are seeking waged work.
2. As Goodin (2002: 579) explained, ‘Workfare links rights to receive welfare benefits with responsibilities for making a genuine effort to support oneself through paid labour.’
3. About 53% of the CDP caseload undertake WFD activities, while 47% are ‘basic service’ participants who are not required to participate in WFD because they are either not receiving activity-tested welfare payments, or are not aged 18–49 years (ANAO, 2017: 17).
4. CDP has been implemented across more than 1,000 remote Indigenous ‘communities’ in 60 regions (DPM&C, 2018b).
5. In late 2013, after the Coalition Government had recently been returned to power, Minister Scullion (2013: 1) announced that the former remote workfare programme was a ‘disaster’ on the basis that ‘People . . . [weren’t] turning up for work and are returning to alcohol.’
6. For example, under the Australian Government’s Indigenous Procurement Policy, adopted in July 2015, which sets a target to procure at least three per cent of the Government’s contracts from Indigenous organisations (i.e. those that are at least 50% Indigenous owned) (DPM&C, 2015).
7. Under new changes, introduced from March 2019, DPM&C (2019b) has committed to CDP *only* being delivered by Indigenous organisations, where it has previously been delivered by a mixture of both Indigenous and non-Indigenous organisations.



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