



EMPOWERED COMMUNITIES: REVIEW OF THE EMPOWERED COMMUNITIES DESIGN REPORT

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Centre for Aboriginal Economic Policy Research ANU College of Arts & Social Sciences

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# Empowered Communities: review of the empowered communities design report

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#### **Acronyms**

ANU The Australian National University

CAEPR Centre for Aboriginal Economic Policy Research

CDEP Community Development Employment Program

CYWRT Cape York Welfare Reform Trial

IPPC Indigenous Policy Productivity Council

#### Introduction

he Empowered Communities: empowered peoples design report (Empowered Communities 2015) proposes a new model of Indigenous empowerment and development in Australia. This report is the culmination of work funded by a A\$5000000 grant to the Empowered Communities network in early 2014 from the Department of the Prime Minister and Cabinet. The report is authored by the Empowered Communities network, consisting of eight Indigenous groups from across Australia: North East Arnhem Land, inner Sydney, the Central Coast of New South Wales, the Murray Goulburn region of Victoria, the Cape York Peninsula, East Kimberley, West Kimberley, and the Ngaanyatjarra Pitjantjatjara Yankunytjatjara Lands in the Central Desert region. Individuals from these groups were joined on the steering committee by senior policy officials from the Australian, state and territory governments, as well as senior business leaders and consultants. The authors of the report are unclear; at the start of the report, 10 individuals from each of the eight communities are listed, but not credited with authorship. The Wunan Foundation (leading the East Kimberley section) is listed as the publisher.

The report sets out a model for Indigenous development and empowerment for the eight regions, with the long-term goal of a national rollout. The authors focus on economic development to achieve Indigenous empowerment, with an emphasis on Indigenous individuals and families increasing their productivity (through taking responsibility). Specifically, the vision advocated by the network is of an 'Indigenous empowerment policy to drive development and prosperity through greater productivity' (Empowered Communities 2015:11). The report outlines five major mechanisms for the Empowered Communities model to achieve its vision:

- policy reform
- better government support of the leadership within the eight Indigenous regions; the report frames the Empowered Communities leadership groups as 'senior partners' (Empowered Communities 2015:15) in government processes and also advocates for government to be reconfigured as a better enabler of Indigenous-led initiatives
- incentives to encourage Indigenous people living in the eight regions to make economically responsible decisions. These assertions have clear links to the policies already strongly advocated by Noel Pearson (2000, 2007), the Cape York Institute (CYI 2007, 2014) and the Wunan Foundation (2012)

- an overarching statutory body to support the ongoing work of the Empowered Communities model. This statutory body, aptly called the Indigenous Policy Productivity Council (IPPC), is envisaged to include representatives of the regions who wholeheartedly take on the Empowered Communities mandate. Within the vision of the network, the IPPC would also include senior policy officials and parliamentarians, working together to govern over the continuation of policy directives suggested by Empowered Communities, regardless of policy shifts with the changing of governments
- delivery that enables the groups from the eight regions to implement the report's recommendations with the support of the Australian, state and territory governments.

These mechanisms are summarised in the final chapters of the design report, listing 75 specific recommendations. Also in the final chapters, each of the eight regional groups is given space to explain the story of its region. It is important to note that there is no mention of different perspectives on empowerment and development held by other groups in the regions, especially perspectives that conflict with the views maintained in the report. Nor are there methodological notes explaining how the views in the report were reached, let alone how it was established that they represent people living in the region. This, as I will explain, could have significant effects on the lives of people living in the regions, if the recommendations in the report are implemented.

From the outset, the report rightly argues that Indigenous policy in Australia cannot continue on its current trajectory and that something substantive needs to change. The authors show how the current policy system impedes Indigenous agency by forcing Indigenous organisations either to close down or to 'chase funding according to the priorities of the government of the day under short-term, uncertain and highly prescriptive funding arrangements, almost entirely from the limited Indigenous-specific funding streams' (Empowered Communities 2015:57). The authors pay particular attention to the need for Indigenous agency to be supported at all levels of policy making, service delivery, governance and evaluation. The authors also argue that governments need to be more responsive to initiatives that Indigenous people undertake, highlighting the particularly harmful effects of the deficit model of Indigenous agency. This deficit narrative has been documented elsewhere, showing a mode of thinking in policy that frames Indigenous agency as negativity and deficiency (Fforde et al. 2013).

Nonetheless, there are some inconsistencies within the conceptual and methodological frameworks used, raising questions about the overall logic of the Empowered Communities model and its prospects for achieving Indigenous-led emancipatory development in Australia. The report aims for substantive changes in Indigenous policy: it calls on the highest echelons of political and economic power in Australia to help in not only embedding the model across the Indigenous policy landscape, but also in affecting the lives of Indigenous Australians. It is therefore essential that these inconsistencies are addressed.

This paper raises questions relating to five areas in the report:

- the conceptual framework of development employed by the authors
- the idea of empowerment as responsibility at both the individual and regional levels
- the methodology employed in the development of the report
- the proposal for a new national Empowered Communities statutory body
- the self-determining qualities of Empowered
   Communities claimed by the authors of the report.

#### 1 Defining development

The Empowered Communities model advocates for Indigenous empowerment through development.

Development is a disputed concept (Altman 2004, 2009; Olivier de Sardan 2005; Engle 2010; Mignolo 2011), yet, despite a few minor references to cultural and social development, the report overwhelmingly uses the term development synonymously with economic development. It also strangely draws on Amartya Sen's capability approach to justify the request that policy and services focus on building the human capital of Indigenous people to engage in economic development. For example, the report outlines specific capabilities, where

Development requires that people have the capabilities to exercise meaningful choices and pursue opportunities. This requires that individuals and families are supported with good investments in children's services, education, training, jobsearch assistance, skill development and health. (Empowered Communities 2015:24)

The use of Amartya Sen in the report is curious because Sen has been a staunch critic of development focused on economic productivity and efficiency. In *Inequality reexamined* (1995), *Development as freedom* (1999) and *The idea of justice* (2009), Sen advocates for development of capabilities that support human flourishing in its fullest sense, incorporating diversity of choices and values. Thus, capabilities cannot be reduced to human capital and what is necessary to feed into the growth economy, as advocated in the report. Instead, capabilities should be what people value and have reason to value, which may or may not be capitalist in function (Sen 1995, 1999, 2009; Nussbaum 2001; Alkire 2002).

Modernist economic development is no quick fix, and in many cases has had negative effects on various marginalised populations (Godoy et al. 2005). For example, while mining and pastoral industries in northern Australia have benefited some groups, many other groups, including Indigenous groups, have been further marginalised (Crough 1993, Langton & Mazel 2008). Such studies problematise the assumption that economic development is always congruent with human flourishing.

Furthermore, history has shown time and again the pitfalls of the modernisation thesis more broadly. By modernisation, I mean a thesis well beyond evolving the 'primitive' towards the 'settler'. Modernisation also includes the use of technical fixes such as 'economic development' in the overall project of improvement (Murray Li 2007). A broad review of the development studies literature highlights five specific difficulties in applying the modernist economic development thesis:

- The modernist economic development thesis has a neutralising property, where the process of using policy and programs to develop people and places appears natural and morally right.
- However, development intervention is never neutral. Doing development has always been interlinked with relations of power, domination and exploitation. The development 'programs', 'projects' or 'interventions' are sites where relations of power and knowledge intersect with lived realities of those 'being developed'.
- Development interventions are actually tools that privilege particular meanings over others, reproducing embedded systems of power, which directly affect the lived reality and wellbeing of recipients of development programs.

- Development policy and programs support some groups' meanings and logics while simultaneously reducing space for the expression of the meanings and logics of other groups (Olivier de Sardan 2005). In the case of Indigenous development policy, 'progress', 'development' and 'success' are all contested terms. They are contested especially because they are generally defined through a modernisation lens, often conflicting with alternative world views. Yet such terms are hegemonic in development policy, and so counter-notions of development are ostracised. Whether disciplining or supporting in intent, the process of development policy and related interventions involves control over the interpretation of events, and providing opportunities for some aspirations while blocking others (Mosse 2004).
- Finally, postdevelopment scholars not only reject the project of 'improvement', they also denounce overarching grand narratives of Western modernity (Ferguson 1990, Latour 1993, Escobar 1995, Mignolo 2011). Such scholars concentrate specifically on the 'cultural and discursive logics of development as a specific form of Western imperialism and ideological domination' (Robins 2003:269). Postdevelopment theorists instead aim to transform structures and processes oppressing societies and peoples, opting for more locally based, hybrid forms of economy and government (see Altman 2001, 2005 and 2010 on the hybrid economy).

The authors of the report seem to have overlooked the diverse range of views about Indigenous development, and indeed discounted the contested nature of 'doing development' and 'improving' Indigenous groups. The 'development' set out within the report is largely based on the Cape York Institute model of development. However, this model, while being granted more than A\$124 million since 2008, has shown questionable results for Indigenous people in both internal and external evaluations (Billings 2010, FaHCSIA 2012, Altman 2014). Jon Altman (2014) has questioned the claims of economic development brought about by the Cape York Reform Trial. He argues that the reforms Pearson lobbied for in 2000 in his publication Our right to take responsibility (Pearson 2000) regarding the Community Development Employment Program (CDEP) and what he called 'sitdown money' have actually increased unemployment rates years later. Specifically, the dismantling of CDEP, which ensured a minimum wage for productive labour, saw recipients moved from CDEP to welfare. The assumption that removing CDEP would automatically lead to higher employment rates of Indigenous people

living in the trial communities was incorrect. Specifically (Altman 2014:107):

The rate of unemployment as measured by the ABS has grown in all trial communities most dramatically from zero in 2006 to 40% in 2011 and 5% to 33% at Mossman Gorge and Hope Vale respectively. These changes largely reflect the shift of people of working age from CDEP participation or active workfare onto Newstart, now supervised welfare where people can be breached for non-compliance.

Altman's research illustrates the danger in uncritically applying the modernisation thesis to development. It also sounds an alarm in assuming a linear trajectory of economic improvement.

#### 2 Empowerment as responsibility

It is not clear from the report how the authors' definition of empowerment relates to the wider literature of empowerment. A review of the literature reveals that the definitions of empowerment are themselves disputed (Batiwala 2007, Dudgeon et al. 2012, Klein 2014). For example, regarding empowerment and its relationship with policy, Campbell et al. (2007) argue that policy needs to focus on creating feelings of control over one's life, and Tsey and Every (2000), and Dudgeon et al. (2012) call for building psychological efficacy. Kabeer (1999) argues for a distribution of power, or what Gegeo (1998) terms self-determination. Whiteside (2009) and Feeney (2009) argue, on the other hand, that empowerment must involve cultural and spiritual dimensions. However, the report defines empowerment as responsibility through the use of welfare policy and economic integration. Responsibility is promoted at two levels: the level of the individual and families, and within organisational governance structures. Consequently, I am concerned as to how empowerment as responsibility complements other elements of empowerment-for example, the distribution of power and control.

# Welfare reform—the making of individual and family responsibility

While the report uses participatory rhetoric about the Empowered Communities model being flexible to the needs of regions, the authors nonetheless establish five non-negotiable 'first-priority agreements' or conditions:

 Children attend school every day and on time, and parents are actively involved in their children's education.

- Children and those who are vulnerable are cared for and safe.
- Capable adults participate in training or work.
- People abide by the conditions related to their tenancy in public housing—that they maintain their homes and pay their rent.
- Communities tackle issues of domestic violence, alcohol and drug offences.

These agreements require the opting-in of all actors involved in the development agenda of the Empowered Communities network, where all policies and programs should be focused on achieving these first-priority agreements.

The theory of change underpinning the report considers that these specific conditions are essential to Indigenous economic development in Australia. Any Indigenous actor not meeting these conditions is therefore problematic, and interventions are required to change their social norms and behaviours; 'social norms must be reestablished to combat social dysfunction' (CYI 2014). An incentive-based model is then proposed, which employs sanctions and rewards to condition and shape responsible behaviour to ensure that people have their basic needs met.

One example of this outlined in the report is the Cape York Welfare Reform Trial (CYWRT). Within the CYWRT, problematic individuals received what is referred to as 'conferencing' from the independent statutory authority, the Families Responsibilities Commission (FRC). If their behaviour did not improve, the FRC could place the individual on compulsory income management. However, there is limited evidence that the CYWRT achieved its aim of ensuring that people had their basic needs met. The Department of Families, Housing, Community Services and Indigenous Affairs's evaluation of the program (FaHCSIA 2012) argued that 'the evidence suggests that the impact of the local FRC Commissioners is in their listening, guiding and supporting role, rather than in the exercising of their punitive powers to order income management' (FaHCSIA 2012:50).

While the Empowered Communities report correctly acknowledges that compulsory income management does not necessarily reduce dependency on welfare, the authors argue that income management provides guidance for people to use their welfare on basic needs such as food and housing expenses. However, research shows that this is not necessarily true. For example, in an evaluation of the Northern Territory Income Management Program, commissioned by the Australian Government,

Bray et al. (2014) show that there is no guarantee that compulsory income management supported the purchase of items for basic needs; it just prohibited items such as alcohol and tobacco while increasing people's reliance on having their income managed. Therefore, there is no evidence that compulsory income management helps Indigenous people to take charge of their lives; in most cases, it actually proves to be a hindrance at best, and a repressive force at worst.

Furthermore, it is not clear how fair or relevant the first-priority agreements are for many people. For example, mainstream employment opportunities are very rare in remote communities without CDEP (Altman et al. 2000, Hunter 2002), raising the relevance and practicality of mainstream labour market training and employment requirements. Moreover, sanctioning people for situations outside their control raises serious ethical questions. Even when mainstream employment opportunities are available, such opportunities are not always suitable. For example, is it reasonable to expect that individuals contesting mining on their country will take up mining employment opportunities?

#### Opting in: Organisations taking responsibility

The report requires organisations in the region to also advocate for responsibility. Specifically, in each of the eight communities, service providers and organisations are invited to opt in to the principles of Empowered Communities. By doing so, organisations are expected to embody and implement the five first-priority agreements.

Although there is an opt-in option for organisations, it is not clear how real the choice is to actually opt in. This opinion is based on three observations. Firstly, the Empowered Communities model has considerable corporate and government support, as well as having aspirations to form a statutory body to control funding channelled into Indigenous programs. Given the sizeable extent of the actual and intended reach, it is not clear if there really is any chance of survival for an organisation that may not want to opt in. For example, the hegemonic discourse around Indigenous people and families taking responsibility is so strong in government, business and wider policy circles that those who are not opting in are stigmatised as irresponsible for not obeying these new social norms, when they may just not agree with the type of development advocated by Empowered Communities. Moreover, it is already very difficult for Indigenous organisations to endure in the current tight funding environment. As a matter of survival, organisations may not have any real choice but to take part in the Empowered Communities scheme.

Secondly, organisations opting in sign binding agreements, raising questions around the flexibility of the newly formed relationship and the ability of signed-up organisations to manoeuvre, shape, adapt and respond. What happens if a group initially signing up subsequently wants to opt out?

Thirdly, it is only organisations that are given the choice to opt in. Individuals in the targeted regions do not have a choice—instead, local organisations are assumed to be representative of them. This means that Indigenous people residing in targeted areas are implicated in the Empowered Communities approach even if they may not know about or support the program. This has further implications when considering the limited participation and consultation used in developing the Empowered Communities model.

# 3 Methodology and wider community engagement

Throughout the report, 'Indigenous people' seem to be seen as a homogeneous group in each region, fitting neatly under the term 'community'. It is never explained how the report's recommendations were reached. It is therefore not clear from the report how representative the support for the Empowered Communities model is in each region. Nor is it clear what the views held by those outside the Empowered Communities network are. Engaging with a selected few Indigenous individuals and organisations, with the assumption that they speak on behalf of, or know better than, the wider population, is problematic.

Amartya Sen, in *Development as freedom*, appreciates the ongoing deliberative process in which sets of capabilities are formed. His account of the capability approach clearly shows that the process of development is just as critical as the outcomes produced. Sen (1999:53) states, 'the people have to be seen ... as being actively involved—given the opportunity—in shaping their own destiny, and not just as passive recipients of the fruits of cunning development programs'.

A review of the literature on some of the previous methods employed by the organisations forming Empowered Communities shows that they did not necessarily engage with the wider concerns of Indigenous people. For example, Phillip Martin, a then employee of Cape York Partnerships, observed that the community engagement phase undertaken before the CYWRT, which was subsequently proposed to the Queensland Government in 2007, was more to convince

local people of the merit of preconceived policies and principles than to inform the polices themselves, and allow deliberation and agency within such discussions (Martin 2008). Moreover, the Wunan Foundation (2012), which is part of Empowered Communities, released a scoping study report for its Halls Creek program, but discussed the five first-priority agreements with only 2.35%<sup>1</sup> of the Halls Creek Indigenous community members. Such a low engagement rate makes it hard to justify the claims of 'community support and participation' made in the scoping study. Further still, of this 2.35%, 29.4% disagreed with the full model of imposing the five key requirements and related sanctions (Wunan Foundation 2012:39). This limited consultation has significant implications about the claims of Indigenous-led development, because there has been limited testing of the relevance of the five key requirements. Further, the report largely overlooks alignment with people's aspirations and values, and the fairness of the five first-priority agreements within the communities.

#### 4 A new mode of Indigenous governance

The report proposes a new mechanism for regional and national Indigenous governance. It recommends the merging of the Empowered Communities network into a statutory body identified as the IPPC. This body would initially focus on regional coordination, negotiating regional investment decisions based on proposals and strategies submitted by Indigenous people from the region. The statutory body in effect decides, based on its own rules, which initiatives to fund and advocate for.

Over time, the report sees the IPPC merging into a national mechanism for Indigenous governance. The vision is vague in the report, but it seems to advocate for an Aboriginal and Torres Strait Islander Commission—style centralised body. It is also unclear what this means for current national Indigenous bodies; the IPPC seems to aspire to replace them. For example, the authors suggest that the Empowered Communities model can support the delivery of other government reforms. Implementation of the IPPC:

will firmly cement a partnership between governments and strong and collaborative Indigenous leadership that could aid the delivery of current and emerging reforms such as the Indigenous Advancement Strategy, Creating Parity, the Flexible Literacy for Remote Schools Projects, extension of the Cape York Welfare Reform, the Wunan Foundation's Living Change initiative in

the East Kimberley, and state initiatives such as Local Decision Making in New South Wales and the recently announced consideration of an Aboriginal Regional Authority model in South Australia. (Empowered Communities 2015:89)

The concern is how this body operates in reality, since the IPPC only advocates for a particular view of Indigenous empowerment and development, thus excluding those not wanting to opt in. To mainstream this approach through statutory legislation would have radical consequences for alternative forms of Indigenous governance, representation and decision making.

# 5 Empowered Communities: self-determination or neo-assimilation?

The report positions the Empowered Communities model as a way to achieve Indigenous self-determination. But when thinking about the non-negotiable first-priority agreements, the belief that economic development is the right focus for Indigenous empowerment, and the reframing of agency as making the 'right choices', one must ask if this is really self-determination. Article 3 of the United Nations Declaration on the Rights of Indigenous Peoples,<sup>2</sup> defines self-determination as Indigenous peoples being able to 'freely determine their political status and freely pursue their economic, social and cultural development'. The question that has to be asked is, does an approach that aims to engineer social norms of Indigenous peoples really honour the right of Indigenous peoples to be self-determining? Or is it just a mechanism for neo-assimilation?

There seem to be two very different messages that have been taken up by proponents of the Empowered Communities model. On one level, Empowered Communities is a way for organised Indigenous governance mechanisms to voice and represent Indigenous issues to federal and state governments. It also acts as a mechanism to attract and streamline funding to Indigenous organisations working in the eight regions. This could be argued to be heading towards self-determination.

Yet, Empowered Communities supports the agency only of those Indigenous people, families and organisations that subscribe to its model of development. Implicitly, Indigenous people and organisations that fall outside the empowerment model of Empowered Communities are largely viewed as dysfunctional and needing reengineering of social norms towards taking responsibility. This is in line with the new paternalism approach where

governments and policy makers empower themselves to nudge, sanction and discipline Indigenous agency to make the 'right choice' towards economic development. The report presents Empowered Communities as the only group that understands empowerment, with everyone else needing to opt in. Leadership thus becomes about assimilating Indigenous people into the report's version of modernity, overlooking alternative models of Indigenous development.

#### Conclusion

The report correctly advocates that Indigenous viewpoints need to be integral to all steps of policy development, delivery, evaluation and design. It also asserts that Indigenous people should be given the freedom and support to pursue their aspirations. However, there are considerable inconsistencies in the report. I have outlined five areas needing further attention. Specifically, the concept of development employed in the report is seriously flawed and at odds with broader development studies literature. Empowerment as individual and family responsibility needs to be reviewed in light of current evaluations of income management and welfare reform. It also needs to be reviewed because such a definition of empowerment could conflict with other notions of empowerment (such as empowerment as the redistribution of power and increased feelings of control). Furthermore, the claim that organisations can opt in to the Empowered Communities framework is misleading, given the powerful political backing behind the Empowered Communities network and the financial insecurity faced by many organisations. The methodology of the report is also problematic; I have questioned the authenticity of claims of community consultation, deliberation and involvement through the broader Indigenous community in the eight locations. Finally, it is not clear if Empowered Communities is truly innovative in its approach to Indigenous selfdetermination. There is ambiguity around whether it really is a durable model for reforming current disempowering and unrepresentative policy and service delivery structures, or whether it just empowers its own leadership and hand-picked organisations to replace those currently in the control seat.

## Notes

- 1. The scoping study shows the sampling size of the study as 134 people (p. 33) of a wider Indigenous population of 5700 (p. 1).
- 2. www.un.org/esa/socdev/unpfii/documents/DRIPS\_en.pdf

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