Australia’s disabling income support system: Tracing the history of the disability pension from 1908 to current

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Abstract

This article is based on a historical-comparative policy and discourse analysis of the principles underpinning the Australian disability income support system. It determines that these principles rely on a conception of disability that sustains a system of coercion and paternalism that perpetuates disability; this is referred to as disablism. The report examines the construction of disability in Australian income support across four major historical epochs spanning the period 1908–2007. Contextualisation of the policy trajectory and discourses of the contemporary disability pension regime for the time period 2008–now is also provided. The system was found to have perpetuated disablism through the generation of disability categories on the basis of normalcy and ableness as a condition of citizenship. Two major themes were found to have interacted with the ideology of disablism. The first theme – Commonwealth authority – set the tone for legitimising the regulation of disabled citizens. The second theme – conservative sanctioned paternalism and coercion – reflected the tensions between the paternalistic concern for income support provision while attempting to prevent idleness and welfare dependency. This article argues that a non-disabling provision based on social citizenship, rather than responsible or productive citizenship, counters the tendency for authoritarian and paternal approaches.

Keywords: Australia, citizenship, disability policy, income support, discourse

Introduction: painting a picture of the disability policy landscape

This article draws on historical-comparative policy and discourse research to provide an account of the enduring nature of principles that marginalise recipients and perpetuate incapacity – referred to here as ‘disabling principles’ – underpinning the Australian disability income support system spanning the years 1908–2007 and 2008–now. Contemporary western industrial societies, such as Australia, have pursued income support policies based on a range of welfare regime types framed in terms of their welfare arrangements and ideological positions (Schröder 2009). For Australia, the disability income support system is situated within the broader political economy of the welfare state and reflects a liberal regime that is residualist, non-contributory, and conducive to needs-based entitlement.

Historically, the first Australian disability income support statutory provision for people with a disability was the Commonwealth Invalid and Old-Age Pensions Act, introduced and enacted in 1908 (Bessant et al. 2006). Australia was one of the first countries to introduce a nationwide government-funded income support system for social protection (Dixon & Hyde 2000). Today, the disability pension is a targeted payment, set at a flat rate and subject to means-testing and other eligibility criteria (Bessant et al. 2006).

During the past four decades, industrialised countries including Australia have pursued reforms targeting social security arrangements and labour market programs as a means to manage rapidly changing global economic conditions and poverty (Drakeford & Davidson 2013; Soldatic & Pini 2013). The changes have potential consequences for people with a disability in terms of their social citizenship (Oliver 2009).

In this article, the emphasis on social protection measures centres on the understanding that welfare policy is a powerful tool that can influence and shape ideology and marginalise the very vulnerable people that the policies are supposed to support (Bessant et al. 2006). Historically, people with a disability have been ‘objects of policy’ through policy language and processes of income support and disability service systems.

On the global level there is a growing body of literature (Grover & Piggott 2010) related to the relationship between the disability concept and social policy. Some global and national comparative exploration of...
welfare state arrangements and income support provision has been undertaken (see Priestley et al. 2010; Parker Harris et al. 2012; Weston 2012). Although highly useful for understanding welfare arrangements and disability policy, these studies are limited to a descriptive account of legislative, policy and programmatic developments. Where attention has been paid to ideology, the studies remain highly contextualised and within narrow time periods.

On the national level, other research studies have similarly traced some historical developments of Australian income support or disability policy (for example, Tulloch 1979; Parker & Cass 2005; Humpage 2007; Soldatic & Pini 2013). Yet, few studies have spanned a 100-year timeframe (the notable exception is Kewley 1980) to explicate the historical and ideological assumptions that function to impact on people with disabilities.

This article traces the continuities and discontinuities of disability income support policy development and pathways across the time period 1908–2007 and the contemporary context 2008–now to examine the historical and ideological dimensions that shaped the Australian disability pension regime. The article provides new insights into the way Commonwealth authority and conservative sanctioned paternalism interacts with disablism and functions to perpetuate disabling categories over time. Commonwealth authority represents the power of the government to intervene and control people with a disability through legislation and administrative practices. Commonwealth authority discourse operates in conjunction with conservative sanctioned paternalism to portray the government as the omnipotent body that will look after people with disabilities (Schröder 2009). Conservative sanctioned paternalism relates to the government’s benevolent authority and paternalism in assuming the government is acting in the best interests of welfare recipients, such as notions of whether a recipient is deserving/undeserving in the provision of disability income support (Schröder 2009). Conservative sanctioned paternalism is depicted in the oft-repeated ministerial statements ‘we assist everybody in need’ and ‘they [the government] know what is good for welfare recipients’ (Goodin 2001; Fairclough 2009).

Commonwealth authority and conservative sanctioned paternalism function with the ideology of disablism to control the behaviour of people with a disability. The ideology of disablism is a form of hegemony. Disablism is the consequence of disability as oppression, whereby negative attitudes, disablism policies, discriminatory practices and environmental barriers prevent the full participation and inclusion of people with disabilities in everyday society (Oliver 2009). This article argues that a non-disabling provision based on social citizenship, rather than productive citizenship, counters the tendency for authoritative and paternal approaches. Social citizenship is used as an inclusive concept to denote an egalitarian society that promotes the achievement of social, civil, political and human rights, and social inclusion and participation of people with a disability in all aspects of life (Oliver 2009).

**Historical-comparative policy research for analysing disability income support**

Critical historical-comparative policy research is used to unpack historical and ideological patterns within and across differing time periods and disability pension regimes. Critical discourse analysis provides the method for analysing the language and ideology of disability income support processes – production and legitimation – and texts within Australian political economy and policy (Fairclough 2009; Reisigl & Wodak 2009).

In a similar vein to P. Harris (2001), J. Harris (2008) and Soldatic and Pini (2013), this article attempts to capture significant moments in time such as continuities and discontinuities and similarities and divergences of the disability pension regime across differing epochs to analyse the ideological shifts and complex social, political, cultural and economic trends that shape conceptions of disability (J. Harris 2008). Four major historical eras were chosen on the basis that each era reflected a snapshot in time underpinned by a particular policy, administrative or legal change, and paradigm shift significant to disability income support policy (P. Harris 2001; J. Harris 2008). The original broad epochs and key themes incorporate: epoch one (1908–1940), ‘invalid citizen’ and productive citizenship discourse: enactment and implementation of the Invalid Pension; epoch two (1941–1985), Invalid Pension moral transition: from inferred right to moral right to fraud and malingering; epoch three (1986–1995) a ‘liberalising’ change: active[e]ating the Disability Support Pension and the emergence of active citizenship discourse; epoch four (1996–2007), the capable regulated and contributing citizen: a shift from invalid
citizen, genuinely unemployed and active citizen discourses; and contemporary policy trajectory (2008–now), partial incapacity, active participation, and job-ready discourse.

For the purpose of this analysis, a narrow selection of disability specific policy documents (parliamentary Hansard, legislation, public service instructions manual, government commissioned policy reports, and parliamentary press releases) which framed policy debate at the time is presented. For example, Commonwealth Government (Hansard), Heathershaw (1935), Cass Review (1988), Howard (1999; 2006), Newman (2000), Gillard (2011), Andrews (2014). In addition, several political cartoons were chosen on the basis of each document’s degree of authority, authenticity, credibility, accessibility and function, together with the specific time period, specific political actors, and specific policy fields (Fairclough 2009; Reisgl & Wodak 2009). In order to guide policy text selection, these selection sampling criteria (for example, authority) drawn from Fairclough (2009) and Reisgl and Wodak (2009) were used in conjunction with the specific epochs and textual domain areas of public policy, dominant mainstream media and alternative public discourses. This strategy increased the trustworthiness in the identification and selection of data sources. From here, Lemke’s (1995) principle of ‘intertextuality’ was applied to support data dependability. Intertextuality refers to reading public policy texts alongside other texts such as alternative public discourse texts to gain an understanding of multiple voices and prevent privileging official documents as the only authentic and authoritative data source (Lemke 1995). For example, in epoch three, the Cass Review (1988) functioned as a seminal policy text that shaped and influenced the policy direction of the Labor Government (see the parliamentary speeches of Brian Howe, then Minister for Social Services, Commonwealth of Australia 1989).

Applying Fairclough’s (2009) and Reisgl and Wodak’s (2009) approach to critical discourse analysis assisted in identifying the meanings ascribed to texts, and the ideological work of texts in shaping social reality across time. The approach involved exploring the social relations of power and ideology relative to the emergence, constitution and reconstitution of discourses (dialectical relations of texts), rhetorical devices (specific discourses with an ideological function designed to persuade the population about the value of certain ideas and sell policy positions), discursive formations and their ordering in the text (semiotics containing genres, discourses and style) and properties of discourses (signifiers and empty signifiers that are used to transmit meanings and legitimate particular constructions of social reality as natural and commonsense) found in policy documents (Fairclough 2009; Reisgl & Wodak 2009).

A backdrop to tracing the history 1908–2007 and 2008–now

For much of its history, Commonwealth authority and conservative sanctioned paternalism and coercion operated in conjunction to perpetuate and entrench the ideology of disabilism through disability income support legislative and administrative frameworks. The policy trajectory showed that there is a continuity of themes including notions of incentives, productivity, and dependency throughout the four epochs. Commonwealth authority and conservative sanctioned paternalism were represented in the authoritative framework for regulating disabled citizens through legislation, policy speeches, eligibility requirements, and a paternalistic concern for income support provision while attempting to prevent idleness. Although the disability income support system was intended to be an enabling policy, the way it has been constructed results in it being disabling. This is the ideology of disabilism.

Epoch one (1908–1940) ‘invalid citizen’ and productive citizenship discourse: enactment and implementation of the Invalid Pension

Between 1908 and 1940, the new powers afforded to the Commonwealth via Federation, along with the Invalid Pension legislation, gave rise to a new Commonwealth authority with new powers by which the Commonwealth could intervene in the lives of people with a disability. The vision held by political figures of the time – such as Labor Prime Ministers Andrew Fisher and James Scullin – formed the initial concrete response to the Invalid Pension that was to endure until the present day. Although both the Invalid and Old-Age Pensions were needs-based entitlements, there existed a fundamental distinction between each pension. Older persons were afforded naturalised rights and entitlements based on perceived earned rights and contribution to society, that is, upon how deserving of a pension a recipient is; whereas for people with disability the newly formed relationship between the Commonwealth and people with a disability was regulatory (Commonwealth of Australia 1908a: 11922; 1908b: 1908c). Commonwealth authority manifested in the legislative framework of the Invalid Pension 1908 and was enacted through regulatory
controls embedded in the eligibility criteria. The Invalid Pension was provided only on the basis of measures of disability and criteria of permanent functional deficiencies (Fairclough 2009). For example, the following extract from the original legislation reveals the enshrinement of the right to an Invalid Pension, based on the criterion ‘permanently incapacitated for work’ as the principal statutory requirement for eligibility:

Part IV s20. Every person above the age of sixteen years who is permanently incapacitated for work, by reason of an accident or by reason of his being an invalid, and who is not receiving an old-age pension, shall whilst in Australia, be qualified to receive an invalid pension (Commonwealth of Australia 1908d: 131–132).

In enabling control through eligibility criteria, the Commonwealth employs a form of bureaucratic centralism in legislating the requirements for obtaining an Invalid Pension and administering practices in the assessment for ‘invalidism’ by medical practitioners (Commonwealth of Australia 1908a; 1908b; 1908c; 1908d; Kewley 1980; Fairclough 2009). Bureaucratic centralism is a product of the dominant, centralised management and control of administrative practices by the bureaucracy in setting the precedence for disability income support eligibility. Bureaucratic centralism is used in eligibility determinations in which eligibility is considered against impairment levels and in part against other environmental features – for example, consideration of the economic climate – rather than social factors (Glassman 2013). The clause reveals the concern for categorical eligibility and medical criteria rather than social definitions in constructing invalidity and disability as the central requirements and absolute measures for receiving an Invalid Pension. The enacting legislation and administrative practices are dialectically connected to the ideology of able-bodied normalcy. Ableness is constructed as the norm and afforded privileged status, whereas invalidism and permanent incapacity is a product of individual-functional, charity and medical models and constructed in terms of deficiency (Oliver 2009). Invalidism and permanent incapacity thus become measured against productive capacity. People with a disability were classified according to their impairment, individual attributes and perceived personal deficiencies given the reliance on categorical eligibility (Oliver 2009).

This naturalising strategy is not an unusual practice. Centred on a close connection to the labour market and considerations of capacity, the Invalid Pension was situated in the context of the Commonwealth and capitalist political economy. This contextualisation generated connections to the market and productive citizenship, rather than social citizenship. It further operated as a means for political parties to garner support and alliance from the general population (Fairclough 2009).

Conservative sanctioned paternalism and coercion was manifest in conservative mistrust enacted through deterrent clauses defining provision of the Invalid Pension, whereby the pension was presumed to be a supplement to other forms of income. Conservative mistrust was based on the concern expressed by political leaders that the Invalid Pension could perpetuate recipient malingering and idleness (see parliamentary debates in Commonwealth of Australia 1908a; 1908b). In part, this suspicion derived from the perception that the payment was overly generous (maximum £26 per annum/10 shillings per week), and belief in the propensity for people with a disability to take advantage of the payment (Commonwealth of Australia 1908a; 1908b; 1908c; 1908d). The perception was that setting the payment amount well below the average wage functioned in part as an incentive for people with a disability to seek work and not remain idle on the Invalid Pension. In an early 1908 parliamentary debate, Liberal Protectionist Attorney-General Sir Littleton E. Groom provided a moral justification for conservative sanctioned paternalism, seen in the phrase:

[The proposed payment is] liberal … and just (Commonwealth of Australia 1908a: 11922).

The rhetorical device found in the above phrase – an appeal to moral authority – provided the impetus and justification for incentives and inferences around productive citizenship.

Several moral requirements underpinning the Invalid Pension – such as the stipulation that a recipient must be an Australian resident and of good moral character – contained additional exclusionary clauses prohibiting particular groups such as ‘Aliens’, Asians, and Aboriginal people. Suspension of the payment ensued for people entering an asylum or institution, people with criminal convictions, people convicted of disorderly conduct due to alcoholism and people who deserted their families (Commonwealth
of Australia 1908d: 17). Such discursive formations assumed moral justification for maintaining tight eligibility requirements. Another moral requirement similarly constructed eligibility criteria in terms of worthiness in order to receive the pension, for example, "[that the] claimant be deserving of a pension" (Commonwealth of Australia 1908d: 9) and refusal on the ground of character:

Part IV s22(d). No person shall receive an invalid pension unless-(d) the accident or invalid state of health was not self-induced, nor in any way brought about with a view to obtaining a pension (Commonwealth of Australia 1908d: 131–132).

The use of these phrases targeting individual behaviours seek to function as deterrants and reflect the way paternalism and the sanctioning of behaviour interacted with and reinforced Commonwealth authority.

Similar phrasing in a later government policy document (1935) ensured the continuity of the principles supporting conservative sanctioned paternalism and their associated moral requirements:

It is considered undesirable to grant pensions to persons who … solicit contributions in the streets … If the claimant undertakes to … give up street begging, a pension may be granted (Heathershaw 1935: 20, emphasis in original).

The moral bases in these provisions are very much those of the English Poor Laws and the Statute of Labourers 1348, which defined people in terms of their capacity to participate in the labour market and by reference to notions of deserving and undeserving poor, thereby establishing behavioural conditions and expectations around being a good productive citizen (Ashley 1893).

Figure 1 below encapsulates many of the signifiers used to justify conservative sanctioned paternalism in the application of moral eligibility criteria.

[Insert Figure 1 here]

Here the legislation presents conservative sanctioned paternalism and its moral prerequisites as logical and appropriate, based on a categorisation of normalcy designed to determine the moral code surrounding who is deserving of the Invalid Pension. Thus, implicit within this category is the generation of boundaries concerning what is considered appropriate moral standards of behaviour (Oliver 2009). Few political leaders during epoch one disputed the assumption that the Invalid Pension was a charity measure (see Commonwealth of Australia 1908a; 1908b; 1908c; Kewley 1980: 11). This type of bureaucratic centralism, which drove the legislative framework and its administrative practices, over time led to the endurance of Commonwealth authority, conservative sanctioned paternalism, and productive citizenship.

**Epoch two (1941–1985) Invalid Pension moral transition: from inferred right to moral right to fraud and malingering**

The first part of epoch two is characterised by the expansion of the world’s most comprehensive system of means-tested income support systems between 1940 and 1970 (Kewley 1980). This period included a policy of economic restructuring and social redevelopment, evident during the Labor Government reign from 1941 to 1950 with the introduction of the ‘fair go’ principle. In this epoch, a fair go reflected an egalitarian – fair and equitable – approach to the distribution of disability income support by means of the newly formed Social Security Act (1947) (Kewley 1980). As a purportedly egalitarian approach, disability income support was expected to be a right of entitlement, rather than based on charitable or deserving poor ideals (Oliver 2009). The shift in discourses was designed to enshrine basic rights and move away from connotations of disability income support in terms of regulatory control, paternalism and deserving poor.

Yet, even with the notion of a fair go introduced into parliamentary speeches, the discursive themes of Commonwealth authority and conservative sanctioned paternalism remained constant in terms of maintaining the invalid citizen construction. This period saw only minor changes to the Invalid Pension provisions in 1941 and 1947 (Kewley 1980). In the late 1970s, a notable discontinuity in the Australian political economy impacted on the disability pension regime. Pursuing the policy trajectory of epoch two – namely, emphasising individual rights while practising sanctioned paternalism – enabled development in the 1970s of a restricted welfare policy approach based on neoliberalism. Achieved by means of social and economic constraint, it represented a marked divergence from early expansionist policies of 1940s–1970.
In the early parts of epoch two (1940s), there were difficulties associated with measuring impairment and medical factors while incorporating the assessment of different socio-economic conditions such as individual characteristics, prior work history, and availability of work. Although continuity in the early part of this epoch centred on the eligibility criterion of a person being permanently incapacitated for work, there was an attempt to seek uniformity of decision-making and clarity in determinations. This process led to minor changes in the Invalid Pension eligibility criteria and administrative practices in 1940–41 and 1947 (Kewley 1980).

Between 1940 and 1941 a minor change saw implementation of the 15 percentile ruling to clarify permanently incapacitated status (Commonwealth of Australia 1941, Invalid & Old-Age Pension Act 1908, No. 48, 3(s4)(2)). A further change in eligibility criteria occurred in 1947:

A person shall be deemed to be permanently incapacitated for work if the degree of his permanent incapacity for work is not less than eighty-five per centum (Commonwealth of Australia 1947, Div 3 s23: 205).

In this, the 85 per cent incapacity measurement represented the discursive theme of securing increasing control through modifying Invalid Pension eligibility criteria. This process reinforces the ideology of normalcy whereby the use of scientific standards based on deficit in eligibility determinations is closely connected to social control and regulation of the invalid citizen (Oliver 2009: 37). The practice continued throughout epoch two. However, the complexity involved in measuring impairment and quantifying the ruling was problematic given the wide variations in impairment and the potential for moral judgements by medical referees, that is, sanctioned paternalism (Kewley 1980).

Although the 85 per cent ruling was designed to provide guidance in assessment, throughout epoch two and until the 1970s the tendency in granting the pension was to err on the side of generosity and take account of labour market conditions (Kewley 1980). The approach was presented as natural and commonsense as a means to seek support for a coherent approach to eligibility assessment. Thus, accounting for the changing nature of the labour market influenced determinations for eligibility and led to increased numbers in receipt of the Invalid Pension. However, broader changes to the labour market – especially during the 1950s and 1960s – meant greater difficulties for people with a disability being able to access employment. A discourse of providing the Invalid Pension to only the most needy citizens emerged (Kewley 1980), reinforcing paternalistic assumptions that the invalid citizen is not to be trusted, and therefore requires greater regulation by the Government.

It is the latter parts of epoch two that represented a significant divergence in the policy trajectory. During the early parts of the 1970s, the Labor Government under Prime Minister Gough Whitlam (1972–75) sought reinterpretation of Commonwealth authority through a policy platform that enhanced the social rights of all people. The Whitlam Government attempted to transform policy principles from liberal assumptions of most needy to social democratic principles of citizens’ rights. This is seen in a parliamentary speech concerning the Social Welfare Commission Bill 1973 (Cth) by the then Minister for Social Security (1973):

[The policy focus on] adequate welfare systems as … a public right … contributes to the well-being of the total Australian community. This new philosophy demands a change of emphasis in government policy and welfare programs (Commonwealth of Australia 1973: 1237).

However, the enduring conservative principles underpinning the Invalid Pension remained in place. The notion of public rights became narrowly prescribed rights as people with a disability were expected to share ‘community rights’ and participate in society (Fairclough 2009). The narrowly prescribed rights for people with a disability were contained within the context of the existing traditional disability income support policy and welfare programs, which ensured the perpetuation of Commonwealth authority and sanctioned paternalism.

The subsequent period under Liberal Prime Minister Malcolm Fraser’s Government (1975–80) signified another major shift in policy. This shift, driven by an era of economic and political instability – high rates
of unemployment, high inflation, and high costs associated with the disability pension regime – is seen in the increasingly heavy targeting of income support.

The first part of a parliamentary speech by the then Governor-General in 1976 typifies the rhetoric used in exploiting fear to cement the argument for minimalist government intervention and tightening welfare assistance:

Government [has] a strong directive to bring under control the highest unemployment for forty years and the worst prolonged inflation in the nation's history … [and] that excessive government intervention in the life of the nation is a major factor in economic instability (Commonwealth of Australia 1976: 12).

This discursive formation reflects a government policy centred on restricting public expenditure and targeting the genuinely needy. The old form of Commonwealth authority and sanctioned paternalism is replaced with a new interpretation of bureaucratic centralism. The focus for the government was on controlling inflation while maintaining incentives for work and reducing welfare expenditure (Commonwealth of Australia 1976: 12). The concept of nationhood is used to gain approval from the general public to progress with a minimalist governmental approach (Fairclough 2009). Neoliberalism provided the ideological platform for legitimising targeted measures and a minimalist government:

Government’s immediate objective is to bring inflation under control so that there can again be jobs for all who want to work … [and] prevent the growth of centralised bureaucratic domination in Australia, the increasing dependence of individuals on the state … in which people have maximum freedom and independence to achieve their own goals in life, in ways which they decide (Commonwealth of Australia 1976: 12).

The above clause attempts to divert attention from the impact of socio-economic conditions and government responsibility in an effort by government to blame individuals for their situation. Discursive diversionary tactics of this type constitute a significant component of the dialectical relations of legislation, policy texts and practices directed at preventing individual dependency on the state (Oliver 2009).

These discursive frames have constituted a powerful mechanism with which to shift perceptions and gain alliances with the general population, as the next clause demonstrates:

As part of this approach the Government will place great emphasis on directing welfare assistance to those in real need. Unless there is a concentration on those in real need, schemes of assistance do not provide maximum possible assistance to the disadvantaged and become excessively costly. The Government does not believe that the poor and disadvantaged can be helped by increasing the dependence of everyone on what the Government chooses to provide (Commonwealth of Australia 1976: 12).

The assumption here is that without cost containment of welfare expenditure and tighter targeting there will be high costs and detrimental impacts on the community. In constructing the the role of government as that of the responsible accountant – responding to the problem of burgeoning welfare costs for the community and welfare dependency – the Governor-General affirms the role of government in embedding the notions of minimalism, independence, and decentralisation. The assumption generated is that jobs will be available to those persons who demonstrate a desire to work. Using this logic, and given the criterion of being permanently incapacitated for work, only genuinely needy people with a disability would receive the Invalid Pension. This made the disability pension regime disabling in nature as – paradoxically – the call for minimalist government intervention perpetuated greater controls and regulation of the invalid citizen. Figure 2 below reveals the regulatory aspects of ‘real need’ and ‘genuinely looking for work’ discourses contained within neoliberal political economy.

[Insert Figure 2 here]

This cartoon comments on the rhetoric of government whereby the policy target is those people considered ‘genuinely looking for work’. In this epoch, such rhetoric is used to promote distance between those who contribute and those who don’t contribute to the workforce. This image is juxtaposed with the disincentive argument found in the phrase ‘preventing welfare dependency’ and the rhetoric of self-reliance, whereby
idenles is to be prevented. The dole is synonymous with welfare payments, inclusive of the Invalid Pension, which at the time was also subject to criticism that it was open to fraud (see parliamentary debates Commonwealth of Australia 1976). In order to qualify for a pension, people with a disability needed to be considered deserving of a pension – this constituted conservative sanctioned paternalism. The inference was that potential recipients were disinclined to work if offered unfettered access to the Invalid Pension. In epoch two, the increasing regulatory controls established the presumption that people with a disability were unworthy and defective in relation to the disability pension regime, which was established as decent and reputable for those who deserve to receive such an entitlement.


Epoch three witnessed further significant change driven by broad socio-historical conditions – Labor Governments under Prime Ministers Bob Hawke and then Paul Keating naturalised particular principles defining the nature of the Australian disability income support system (Fairclough 2009). The government rearticulated the meaning of the disability pension in an attempt to balance rapid global socio-economic change while subscribing to socio-economic ideals. This reflected a newly transformed hegemonic project even where there was continuity of existing incentive and productivity assumptions (Fairclough 2009). During this epoch, Commonwealth authority was discursively reconstituted under the pretext of a social justice strategy – the signifier ‘social justice’ being devoid of fixed meaning and allowing easy policy reconstitution – and a ‘fair go’ for disability income support policy, which denoted meaning established during the Curtin and Chifley Labor governments of the 1940s. The historic Invalid Pension was perceived to be a disincentive to work, hence the shift away from entitlement with conditions and workforce capacity to proving capacity and active citizenship. Figure 3 below portrays the broader economic conditions shaping the political economy of the disability pension regime and the paradox of the fair go vision.

[Insert Figure 3 here]

The new vision of a fair go and social justice was purported to establish credibility and a reconstituted Commonwealth authority. For legitimacy and greater acceptance of the policy change to be attained, the government used the notions of a fair go and social justice to sell the shared idea of a liberalised disability income support system. This is evident in parliamentary debate (Commonwealth of Australia 1987) and reflected in the following parliamentary speech:

> As we move into the 1990s, the challenge is for all Australians to shed their prejudices and change their restricted thinking so that we can share a vision which will provide real choices for people with disabilities …. We are at another important milestone on the road towards a new system (Commonwealth of Australia 1989: 3264).

Here, the Government is presented as inclusive and authoritative. Commonwealth authority is legitimised primarily by reference to inclusivity (‘we’; ‘share’), establishing governmental authority to enact regulatory and economic change (Fairclough 2009). In this epoch, the dominant formations of shared vision and real choices secure Commonwealth authority by constructing a unified and just national identity necessary for the transformation of disability income support policy. This discursive formation reflects the emergence and constitution of a new ‘unified’ world view in which the reader is asked to become a part of the change strategy in solidarity, through a shared vision (Fairclough 2009). Such discourse, as a form of passive revolution, created a space and secured acceptance for transforming a perceived passive disability income support system, while maintaining traditional norms (Fairclough 2009).

In espousing the fair go principle during this epoch, the pursuit of social justice becomes the cornerstone concept in establishing a shared approach:

> The vision is of a new system which more actively encourages independence for people with disabilities; a more humane system with better community understanding of basic human rights which apply equally to people with disabilities; a system with integrity, providing comprehensive assistance (Commonwealth of Australia 1989: 3264).
This account captures the point at which social justice as a nebulous signifier communicates a need for egalitarianism while simultaneously introducing a push for individual self-reliance. Applied in official discourse, this grab-bag signifier allows for the the government to espouse the fairness of the disability pension. Such rhetoric helps to present the government as humanitarian and caring. The social justice discourse is used to inform the general public of economic and social benefits that will result if they invest in this vision (Fairclough 2009). The relationship between the public and people with a disability is touted as contributing to the good of all people, thereby using social justice discourse to make policy proposals ideologically desirable to the general public (Fairclough 2009). However, while social justice is represented as a universal right, it obscures the struggle with other social forces – such as global social forces. This discourse functions to conceal independence and self-reliance discourses, which in turn privilege ideals of economic rationalism – for example, those of productivity and labour market inclusion – as desirable aspirations. The contradiction demonstrates the dialectical relations of power and ideology, whereby the discourse invokes social justice while enabling economic ideals to contend for dominance and acceptance (Fairclough 2009).

In situating the government’s values alongside social justice discourse, the parliamentary speech (Commonwealth of Australia 1989: 3264) communicates the interconnection between problem, authority, responsibility, and regulatory control, whereby Commonwealth authority is confined to economic considerations and intervention is circumscribed by compelling people with a disability to participate in society via employment opportunities. This claim of a socially just society further allows for the implementation of a compulsion mechanism in the disability pension regime. The assumption is made that society will benefit from people with a disability participating in employment, rather than languishing on disability income support (Cass et al. 1988: 61). In effect, that the ideals of social justice are at odds with the underpinning economic ideals of the policy, such as productivity and labour efficiency. Economic principles help to secure the logic of normalcy and function to reify the deficit model of disability by increasing the emphasis on individual dysfunction, rather than by exploring structural barriers to employment.

In a complex way, generating opportunities for greater labour market participation was expected to transcend the established order and separate it from traditional responses:

We linked these reforms to a reshaping and a clarification of the role of the Commonwealth (Commonwealth of Australia 1991a: 788).

This rhetorical device makes the response ideological in the sense that it seeks to employ an interpretation of Commonwealth authority and the disability pension regime that diverges from existing interpretation. New legislation superseded the Invalid Pension (Commonwealth of Australia 1991a; 1991b). While the new legislative and administrative framework, in the form of the Disability Support Package Legislation enacted in 1991 by the Keating Labor Government, marked a departure from previous epochs by reconstituting bureaucratic centralism, its Disability Support Pension continued to maintain the dominant hegemonic principles of conservative paternalism. As is evident in the following parliamentary speech, it espoused the virtues of the new legality in reducing long-term public expenditure on income support and lowering the perceived dependency levels on income support payments:

The establishment of the new disability support pension.... [which constitutes] change not only in the name but also in the essential criteria for assessment of pensions for those with disabilities represents a very historic change. It is historic essentially because it throws the emphasis more on the capacities of people with disabilities than on their incapacities … that is, in the assessment of people for payments for social security, the level of impairment needs to be assessed (Commonwealth of Australia 1991b: 2823).

Conservative sanctioned paternalism was reinterpreted to mean a concern for enabling people with disabilities. The enabled active citizen discourse interacted with the new legality and accompanying institutional practices through rearticulating the eligibility criteria and adding a reciprocal requirement of obligation. If an individual with a disability was deemed capable of working up to 30 hours per week, they could receive the Disability Support Pension, yet they needed to fulfil other eligibility conditions (Commonwealth of Australia 1991b). The assumption underpinning the reciprocal obligation principle was the expectation that disability pensioners had an obligation – in reality, a duty – to look for work
(Commonwealth of Australia 1991a; 1991b). Reliance on the disability pension became even more synonymous with lacking the motivation to find employment. The enabled active citizen discourse was different from the invalid citizen discourse identified in previous epochs; the enabled active citizen discourse functioned to perpetuate the productive citizenship discourse as opposed to notions of social citizenship.

**Epoch four (1996–2007) the capable regulated and contributing citizen: a shift from invalid citizen, genuinely unemployed and active citizen discourses**

In epoch four, Commonwealth authority and conservative sanctioned paternalism operated in conjunction with a new combination of neoliberalism and conservatism to emphasise a greater minimalist approach to Commonwealth intervention in the provision of disability income support. The government sought to reframe the nature of the government–recipient relationship to one based on individual and contractual obligations in an ongoing effort to contain welfare expenditure (Fairclough 2009). While it could be argued that the erosion of Commonwealth responsibility but not authority and the rise in the notion of the active citizen that characterised the neoliberal turn occurred earlier than epoch four, the changes to disability income support policy in epoch four were in effect different from other epochs in that the policy approach was based on instigating even greater regulatory controls than in previous epochs, and in capturing the support of the general population. Epoch one relied on invalid citizen discourse, and epoch two represented the contrasting fair go and most needy / neoliberal discourse. Epoch three signified change through enabling policies, using the language of the enabled active citizen and social justice, whereas in epoch four, Commonwealth authority, neoliberalism and conservatism were used to form an intellectual/moral bloc (Fairclough 2009).

In epoch four a distinct new legality gave rise to a more articulate, explicit and logical form of Commonwealth authority and conservative sanctioned paternalism than evident in previous epochs, and functioned to replace outmoded ideas of bureaucratic centralism. This new legality operated to erode the social protection-based framework of the disability income support system by promoting institutional innovation in the structural adjustment and reorganisation of the disability pension regime.

The following text is indicative of this change, portraying the notion of entitlement as an outmoded norm:

> The social security system … does not have a sustained focus on helping people move beyond reliance on income support to self-sufficiency. Some parts of the system still create work … disincentives … it still does too little to prevent and discourage welfare dependency (Newman 2000: 6–7).

Here, neoliberalism and conservatism find new expression in the depiction of a welfare state beset by an inefficient social security system. This discursive formation promotes the assumption that a more targeted and efficient system can benefit all citizens (Commonwealth of Australia 2002; 2005). The solution offered is stringent accountability measures and cost efficiencies obtained by tightening the disability pension eligibility criteria and implementing work requirements. Legitimacy was established through the use of another phrase:


In reframing the argument for a modernist approach the government could establish divergent interpretations of Commonwealth authority and power through a new legality of disciplined economic policy:

> The maintenance of sound fiscal policy provides the underpinning for expansion in the Australian economy and is the basis for continued employment growth and economic security for all Australians. In short, good economic policy is good welfare policy (Newman 2000: 10).

In securing legitimacy for the new policy position, the discursive formation in this statement suggests that the best approach to modern income support is economic management and good governance – efficiencies and accountabilities – as opposed to pursuing social objectives. From this position, a strong active income support system could be realised only by strengthening economic development, engaging in employment
expansion, and providing incentives to work. Epoch four discourse suggested that good economic management deriving from a balance between government public policy and laissez-faire economics was essential for a strong economy. In making these claims of sound economic policy as a means of securing sustainable income support, the government negated the suggestion that there were similarities between past and present policies (Fairclough 2009).

Consolidating this modernist approach relied upon the appropriation of certain policy principles traditionally associated with social democratic policy. The use of egalitarian language was evident in a speech by then Prime Minister Howard:

We’re a Party that does not believe in privilege or class. We are a Party that honours and respects tradition but also prides itself in sharing the great egalitarian tradition of the Australian people (Howard 1999: 8).

The notion of egalitarianism used here is at odds with the idea of giving back to society, as it suggests that democratic and equal participation is enjoyed by all citizens. Paradoxically, it also transforms the concept of egalitarianism to attribute primacy to the capable, regulated and contributing citizen:

Just as it is an ongoing responsibility of government to support those in genuine need, so also is it the case that … those in receipt of such assistance should give something back to society in return, and in the process improve their own prospects for self-reliance (Howard 1999: 8).

This discursive formation establishes an unquestioned and assumed logical requirement that people with a disability reliant on disability income support will be economically productive citizens and contribute to society through work: in effect, productive citizenship.

This conception of citizenship has functioned to restrict access to disability income support payments, now provided on the assumption that people in receipt of disability income support needed some form of regulatory control to prevent welfare dependency:

This Government has reinforced Australia’s safety net, but we also believe in the principle of mutual obligation … Far from undermining social protection, policies that promote responsible behaviour and self-reliance are essential pillars of a compassionate Australia (Howard 2006: 3).

Although in part similar to previous epochs, the discourse of a compassionate nation was used to sell the idea of self-reliance, contribution, and the regulation of disabled citizen behaviour. However, unlike previous epochs, this change was reinforced through redefinition of the disability conception of permanent incapacity and work capacity to ‘partial capacity to work’. The new legislative framework was introduced in 2006. If assessed as capable of working 15 hours per week, the recipient is shifted to Newstart Allowance – which is lower in value than the disability pension – and required to undertake mutual obligation activities (Commonwealth of Australia 2005: 14). Figure 4 below depicts the novel interpretation of Commonwealth authority and conservative sanctioned paternalism in the regulation of the behaviour of particular groups, in which only those genuinely worthy of a pension or genuinely disabled are supported.

[Insert Figure 4 here]

The metaphors used in the cartoon highlight the disabling assumptions attached to the partial capacity to work criterion that reconstituted productive citizenship as an obligation, that is, productive citizenship through being an able contributing citizen, rather than based on social citizenship (Grover & Piggott 2010).

**Contemporary policy trajectory (2008–now) partial incapacity, active participation, and job-ready discourse**

Between 2007 and 2013 the incoming Labor Government under Prime Ministers Kevin Rudd and then Julia Gillard reflected yet another constriction of the targeting of disability income support. Discursive formations in parliamentary speeches of the time point to a continuity of the strong economy discourse
while alluding to the tightening of disability income support through reforms. A parliamentary speech by then Prime Minister Gillard draws out the strong economy argument:

The nation … is facing turbulent economic times. It is the intention of the government to manage the economy now, to keep the economy strong and also to enact the reforms today that we need to have to ensure that the economy is strong for the future (Commonwealth of Australia 2011: 8139).

Similar to epoch four, in this epoch the government invokes impending crisis – for example, the need for a sustainable welfare system; burgeoning welfare costs – in order to garner legitimacy for transforming the disability pension regime. The discourse of crisis, seen in the phrase ‘facing turbulent economic times’ (line 1) and ‘reformist economics’, provides space for reinterpretating circumstances in the current established economic order, post-global financial crisis. Targeting is perceived to be an effective means for increasing workforce capacity, as seen in discourse pertaining to the Social Security and Other Legislation Amendment (Disability Support Participation Reforms) Bill 2012 (Cth):

Currently, DSP recipients do not have to satisfy an activity test and / or participation requirements in order to qualify for payment as do other income support recipients … such as Newstart Allowance (NSA) recipients. This is a legacy of the fact that both the original IP, and its replacement DSP, have been targeted at persons with a significant inability to undertake work. The Budget initiatives which give rise to this Bill seek to impose participation requirements on some DSP recipients. They are targeting those younger recipients with some work capacity (Commonwealth of Australia 2012).

In another significant change, 2013 reflected a new government in power following the election of the Liberal-National Coalition under Prime Minister Tony Abbott. There have been similar continuities, as with epoch four. For example, a speech by the Minister for Social Services contains rhetorical devices similar to those used in epoch four. In targeting the disability pension, yet another new interpretation of the partial incapacity, active participation, and job-ready language is found:

The Government wants to ensure the welfare system encourages people to participate in work when they are of workforce age, and are able to do so, because the best form of welfare is a job and people are better off overall when they are active participants in our workforce. Recent decades have seen substantial economic and social changes in Australian society; the structure of the economy and the labour market has changed, with unskilled work becoming increasingly scarce relative to skilled work which requires higher levels of education and training. Societal norms have changed in relation to the workforce participation of … people with disability and the needs of carers. Therefore, it is important that we have the right balance of maximising incentives for workforce participation and self-provision while ensuring the adequacy of the safety net at the same time. And it is important for the welfare system to remain socially sustainable and enable people to fully participate in society; the system must ensure that people who receive welfare payments and are able to work are supported to do so (Andrews 2014).

Here each contention is constructed as universally desirable, logically consequential, and ideal, equating what the government wants with what ‘is important’. Conjunction of the government’s desires with those of Australian citizens amounts to what is ‘socially sustainable’ for the welfare system, resulting in the imperative that the system ‘support’ those able to work. It is clear from preceding references to ‘workforce participation’ and ‘self-provision’ that these ideals now constitute the measures of sustainability – both for the system and for society. As with epoch four, in this epoch, similar rhetorical devices are being used to recontextualise Commonwealth authority and conservative sanctioned paternalism with even tighter targeting measures and eligibility requirements – for example, use of the phrase ‘the best form of welfare is a job’ (line 3). Worthiness discourse is in part a continuity from epoch four, whereby the policy trajectory is driven by minimalist intervention discourse and neoliberalism. Although the phrase ‘the best form of welfare is a job’ echoes the discourse in epoch four, in this epoch the terms ‘modern’, ‘good fiscal policy’ and ‘egalitarianism’ are no longer used to gain support for increased restrictions. The discourse is recontextualised to position Australia within the context of global economics while simultaneously allowing space for reinterpretation of the Australian economic situation post-global financial crisis. This discursive space then allows for changes that suggest the need for a Commonwealth authority newly
reconstituted through strong economic intervention and even tighter controls by the government in power. Partial capacity is similarly transformed into the notion of temporary disability.

Discussion and conclusion

The idea of an income support approach based on social citizenship and non-disablist principles is significant. Disablism is entrenched within the Australian disability income support system through the ideologies of Commonwealth authority and conservative sanctioned paternalism and coercion. The Australian disability income support system is disablist in nature, and has been from its inception. The reinterpretation and entrenchment of the Commonwealth authority and conservative sanctioned paternalism ideologies over time contributed to the generation of inequities within the disability income support system, and hence to the vulnerability of people with a disability who rely on disability pensions.

Over time there has been a continuity of themes such as incentives, productivity, the concern over idleness, and whether a recipient is deserving of a pension. However, across each epoch a new interpretation and reconstitution of Commonwealth authority and conservative sanctioned paternalism has resulted in a new legality that leads to the Australian disability income support system functioning to limit the social citizenship of recipients, thereby forming part of the disablement process. This article illustrates the way complex interactions – legislative frameworks, discourses and practices – have functioned to restrict the social citizenship of disability pensioners and promote notions of productive citizenship. This suggests that disablism has permeated across the epochs relatively unchallenged and unchanged. The Australian disability income support system generates categories on the basis of ‘ableness’ as a condition of citizenship. Government discourses and ideological practices have reconstituted the nature of the relationship between people with disabilities and the government. Over time the rights of disability pensioners have become narrowly prescribed, often overly restricted by conditions requiring the recipient to work. Essentially, this has become a unilateral contractual relationship on the part of the government in power. Tighter targeting has perpetuated disablism and operated to marginalise people with disabilities.

An income support system designed to assist people with a disability underpinned by non-disablist principles such as social citizenship would help to disrupt the ideology of disablism in disability policy and provide disabled citizens with a fair go.

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Figures

Figure 1. ‘Blind Beggar’, Melbourne, Victoria (circa 1880–1900)

Figure 2. ‘We pay the dole only to those genuinely looking for jobs’ (Malcolm Fraser, Ian Viner)

Figure 3. Paul Keating receiving a medal for 1.2% inflation while riding on the back of the unemployed

Figure 4. Disability Pension Crackdown in *The Australian*, April 19, 2005