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The Hon. Julia Gillard MP, Deputy Prime Minister
The Hon. Jenny Macklin MP, Minister for Families, Housing,
Community Services and Indigenous Affairs
The Hon. Brendan O'Connor MP, Minister for Employment Participation

Re: CDEP/IEP Feedback

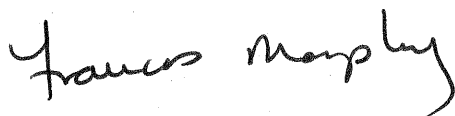
Dear Deputy Prime Minister and Ministers,

I attach *Re-engaging the Economic with the Social* for consideration as a feedback to the recently published Discussion Paper on the future of the CDEP and Indigenous Employment Programs.

In this covering letter I provide a brief resumé of my expertise and interest in this field. I have worked as research anthropologist and linguist in Yolngu-speaking north east Arnhem Land over a prolonged period of time, since 1974. Most relevantly, since 2005 I have worked on governance issues in Indigenous community organisations, specifically with the Laynhapuy Homelands Association Incorporated (LHAI), based at Yirrkala. I have been in a position to observe closely the effects on the organisation and on its CDEP participants of the changes to the program that were instituted between 2005 and 2007. I also have a long association with the Laynhapuy outstation communities on Blue Mud Bay, and have observed at close hand the development of Laynhapuy IPA and the associated Yirrkala Ranger Program, with its headquarters at Banyala (Yilpara). I am co-editor (with CAEPR colleague Will Sanders) of *The Indigenous Welfare Economy and the CDEP Scheme* (CAEPR Research Monograph No. 20, ANU E Press, 2001).

I commend to you a paper by my colleagues Professor Jon Altman and Dr Will Sanders, *Revitalising the Community Development Employment Program in the Northern Territory*, which I believe they are submitting as their feedback in this process. I agree in very large part with the arguments that they put forward and do not rehearse them again in detail in my own paper. I wish instead to focus on the cultural premises underlying the Commonwealth's Discussion Paper, and to point out some conceptual 'gaps' which, unless addressed in policy in a coherent fashion, threaten in my view to undermine the Commonwealth's endeavours and the economic futures of remote-dwelling Aboriginal people.

Yours sincerely,



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Re-engaging the economic with the social

A response to Increasing Indigenous Economic Opportunity: a discussion paper on the future of the CDEP and Indigenous employment programs

F. Morphy

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SOME CONCEPTUAL PROBLEMS

My overarching concern with the formulation of the discussion in the Discussion Paper is its failure to conceptualise adequately the target population. Aboriginal people are viewed as 'individuals' in isolation, and their communities are arranged in a hierarchy defined in terms of access to the mainstream labour market, with no reference as to how they themselves might view them. In remoter areas of the Northern Territory and particularly in Arnhem Land, Aboriginal societies comprise distinct *social fields* in which the most salient facts influencing people's place of residence and mobility patterns are attachment to country and kin connections, not their access to the labour market. These socio-cultural systems are deeply embedded, complex and persistent, and are likely to remain so for a considerable time to come.

It is not adequate as a basis for policy to characterise these social fields in ethnocentric terms, as deficient versions of the mainstream that 'lack' certain mainstream characteristics. For example, from the Yolngu people's perspective it makes little sense to categorise Yirrkala separately from the Laynhapuy homelands for which Yirrkala functions as a service hub. In the Discussion Paper's terms the former would be an 'emerging economy' because of its proximity to the mining town of Nhulunbuy, whereas the latter would be characterised as having 'limited economies'. But from the Yolngu people's point of view both are components in a regional socio-cultural system based on clan ownership of land and extended kin networks, and any effective development strategy for this region must take that regional identity and the culture and values of its Yolngu population into account.

The Yolngu perspective is summed up succinctly in the following comments by Djambawa Marawili, made to a visiting Commonwealth Government officer at the homeland of Yilpara on Blue Mud Bay, on 19 September 2007. This officer had just explained the 'Emergency Response' measures and their implications for the community. I have heard Mr Marawili give very similar speeches to representatives of government on at least two other occasions. He said:

You came to my home and I'm talking about my homeland now. We need jobs in our homeland communities. Take that message to Canberra. This homeland is our real country. There was a time when missionaries encouraged us to move away, but the time came to come back to our own country where our ancestors—my father and my father's father's father—are buried. We want to build up our facilities here [he then listed all the facilities he had in mind].

There can be jobs in this community. We want to sit and live and work in our own country. That is my priority. I want the government to listen—this is my big priority. The patterns, designs, songs and stories are in this country. This is my foundation. I want to develop this country. Government has to know this.

Unless government begins to take statements like this seriously and begins to attempt to understand their implications, it will once again fail the Aboriginal people of remote Australia. The view of communities like Yilpara as 'limited' is blinkered and partial. It is motivated by a view of the economy that is becoming, itself, increasingly unsustainable. Government needs to examine the inconsistencies in its own position, because there is evidence of a deep-seated conceptual muddle. On the one hand, it is supporting the formation of Indigenous Protected Areas (IPAs) and ranger programs, and beginning to acknowledge the vital role that Aboriginal people *living on their own country* can play in the maintenance of biodiversity, in carbon sequestration and so on. IPAs are the fastest growing sector of the National Reserve System—the concept is being seized on with enthusiasm by Aboriginal people all over the continent, not only in remote areas (Altman, Buchanan & Larsen 2007; Department of the Environment and Water Resources 2007; Gilligan 2006). Government also acknowledges the importance of the Indigenous visual arts and crafts sector, which is 'now a dominant element of the arts in Australia, and is recognised as such internationally' (Senate Standing Committee on Environment, Communications, Information Technology and the Arts 2007: 5). The vast majority of the artists involved in this sector are remote-dwelling Aboriginal people. On the other hand, the major thrust of government policy—mobility to centers where there is a 'mainstream' job market, such as in the mining sector—seems to entail emptying the very communities that are the backbone of these two sectors, or depriving them of their most able members.

These inconsistencies are mirrored in the Discussion Paper itself. It begins well, with the section on 'Local Solutions', when it says 'we need to work together to strengthen investment and growth and opportunity in specific places, *in ways which reflect the location, identity, assets and opportunities of that place*' (emphasis added). Unfortunately it then proceeds largely to ignore its own advice, or rather to ignore 'identity, assets and opportunities' that Aboriginal people rather than the market bring to the scenario.

RETHINKING CDEP

In rethinking CDEP there is an opportunity to recalibrate it; to view it not primarily as a device for slotting 'individuals' into places on a job continuum but as an engine for regional economic development that meshes with the aspirations and values of the Aboriginal people of a region. In doing that it will help to create jobs for 'individuals' that are compatible with other aspects of their lives. For these Aboriginal social fields are very far from being 'cultural museums'. They are in a constant state of change as they adapt to prevailing circumstances, and they have demonstrated their ability to adapt while retaining a distinctive trajectory. Some individuals (both from large settlements and from homelands) may indeed choose to aim for jobs in the 'mainstream', and they should be encouraged and helped to do so, but in my opinion this should not be the first stated aim of the program. For these are not the only 'good' jobs that can be envisaged.

In recent years, the picture that has been painted of these remote communities in government pronouncements and in the press has been overwhelmingly negative. Those who have never been to remote Australia have been given a picture of utter and universal dysfunction, manifest in high levels of drug and alcohol use, child abuse, violence, poor health, overcrowding, and so on. The real picture is far more complex. It would appear that there are some communities where all of these factors pertain, but there are also many small remote communities where, despite years of chronic underfunding of basic services and infrastructure, people lead what they would consider to be good lives. Yilpara is such a community. In contrast to the hub community of Yirrkala, located near the mining town, these outstation communities

IPA:

Indigenous
Protected Area

CDEP:

Community
Development
Employment
Projects

have always been effectively and voluntarily alcohol-free. The leaders of these communities are anxious to keep their young people there, and for that reason they are striving to build local economies so that there is employment for them (Morphy 2005; Morphy & Morphy 2008). For the moment, CDEP is a vital component in this endeavour, and will remain so for some time.

With certain notable exceptions (for example Bawinanga Aboriginal Corporation at Maningrida) the 'community development' potential of CDEP was never fully realised in remote Australia during the period of 'self-determination'. The success of certain CDEP organisations in 'settled' Australia, for example Bungala in Port Augusta (Gray & Thacker 2001), Worn Gundidj in Warnambool (Madden 2001) and Yarnteen in Newcastle (Smith 1996) amply demonstrated that CDEP as it was originally conceived had the potential to generate development and employment for CDEP participants. In remote Australia its potential is beginning to be realised, for example in its role in supporting ranger programs in conjunction with IPAs. De-emphasising the development aspects of the scheme in remote regions just because those aspects were never properly addressed or funded in the past is the equivalent of throwing the baby out with the bath water. This was a major mistake of the Howard Government and it should be reversed.

CDEP can be recalibrated so that it becomes an engine for local economic development, generating the kinds of jobs that people will value and want to do. Over time, as more local enterprises become viable, there will be every possibility of converting many CDEP positions into jobs that are not underwritten by the state.

WORKING WITH RATHER THAN AGAINST INDIGENOUS ASPIRATIONS AND VALUES

The view taken in the section of the Discussion Paper on 'Reform Principles' seems to me to be very misguided. It is also highly ethnocentric, as is the Northern Territory's recent CDEP Discussion Paper (2008). On p. 5 of that document, the following are listed as 'barriers' to employment that need to be 'addressed':

- lack of flexibility in the workplace — family and cultural commitments
- mismatch between the aspirations and aptitudes of CDEP participants and the available work opportunities
- recognition of cultural pressures on Indigenous employees.

Such factors are 'barriers' only to certain kinds and styles of employment. It would be far more positive (and respectful to the lifeways and values of remote Indigenous people) if these were viewed rather as constraints that might influence the development of certain kinds of enterprises and styles of employment in these regions. One of the great strengths of CDEP in the past has been its flexibility in terms of allowing for a mix of part-time and full-time work (paid for with 'top up'), allowing people to juggle their work and their very real social responsibilities. This is as true of people living in places with 'established economies' as it is of those in the other two 'labour market' categories.

Lip service is often paid to valuing 'the oldest continuing culture in the world', but the implications of really doing so are rarely explored, far less taken seriously. What are these 'cultural commitments' that constrain people's desire and ability move from their homelands to enter the mainstream labour force? Below are two short illustrative case studies from the Laynhapuy area.

CASE 1

X is a man in his early fifties. In the wider world he is renowned as one of the region's most brilliant artists, and he is fêted by the art public on those occasions when he ventures south to the opening of an exhibition of his work in Sydney or Melbourne. He has won major awards, and his works hang in important public and private collections both in Australia and overseas, but he cannot earn enough from his artwork alone to support himself and his large family. He is the most senior man of his generation in his clan, and one of the few remaining members of that generation, which has been decimated by premature deaths, many of them alcohol-related, following the establishment of the nearby mining town of Nhulunbuy. In the region where he lives, people have ceremonial obligations to members of other clans besides their own, particularly their mother's and their mother's mother's clan. Because of his seniority and knowledge, X is frequently called upon as a leader in ceremony. In a bad year (which is most years), funeral ceremonies in this region follow one another almost without a break, and he is involved in many of them.

X is a retiring man, and would actually prefer to spend his life on his homeland, making art. But his commitments are such that in practice he spends much time away from home at ceremonies in other communities. Much of his earnings from his artwork is consumed by the necessity to own a four-wheel drive vehicle—his homeland is one of the more remote in the region and he would not be able to travel as he does without one.

X has been on CDEP for many years, and in the past, when the 'rules' of CDEP could be interpreted more liberally by the local CDEP organisation, it provided him with a base wage that allowed him to live as an artist and community and ceremonial leader. In the last few years, this has no longer been possible. Changes in the conditions under which CDEP is delivered has meant a stricter delimitation of what counts as a 'job' under CDEP, a more rigorous implementation of the 'no work, no pay' rule, and a stricter breaching regime for those who do not comply with the requirement to live and work at their designated community, and to formally take leave if they are going to be absent.

X is in constant breach of these conditions. The 'job' on his job description bears no resemblance to his real work which, being 'cultural', falls outside the definition of a 'job' that has a (notional) market value. And his ceremonial commitments to others take him constantly away from the place that is his designated residence.

X does not speak English well, and he is not literate and numerate. He is not, and never will be, 'job ready' in the market sense. So NewStart, now that the remote area exemption has been lifted, is not an alternative for him. Yet he is one of the most important people in the local Yolngu world. And his is not a unique case—many senior men in this region are in a similar quandary.

CASE 2

Y is a man in his early twenties. He lives and works on his clan homeland. He is a developing and very talented artist who has already been exhibited in metropolitan centres, and is employed on CDEP as a ranger on the Laynhapuy IPA. Y finished Year 10, speaks good English, and is literate and numerate. Through the ranger program he and his fellow rangers are receiving a great deal of extra training—for example several, including him, now have coxwain's tickets.

Y is the grandson of the most senior *djirrikay* (ritual expert) of the region—this is a named role in Yolngu society—and under the tutelage of his grandfather he is being trained as a future *djirrikay*. He takes this responsibility very seriously, and is already being given leading roles in ceremony.

Y does not want to leave his homeland to take a job in Nhulunbuy, although with his educational background he could, with further training, soon be earning far more in the mining industry than he does as a ranger. He dislikes the mine because of its impact on the land of his mother's mother's clan. He dislikes the mining town and the alcohol-related problems that it brings, and only goes there if he absolutely has to—for training for example.

Yet he does not wish to live cut off from the rest of the world. He is more than happy to travel to Sydney or Melbourne to the opening of an exhibition of his work, and is at ease in such a milieu. At some point in the future he might choose, as other talented Yolngu have done from time to time, to spend some time in the city, perhaps as a student gaining a qualification that will advance his career in the environmental sector. But he will always return home.

I do not raise these cases to suggest that there are any easy answers as to how government policy can recognise a role for men like X, a role that would allow him to continue to live the life that he and his community value without descending into destitution and dependence on other family members or on the state. I raise it because these are the kinds of concerns that preoccupy Yolngu people far more deeply than the quest for individual 'betterment' through participation in the market economy. Yet these kinds of concerns are not even on the policy radar.

It might be argued that X and men like him, from a purely market economy perspective, simply constitute a 'lost generation', and that provision must be made for them somehow, but that the real priority is to concentrate on the youth of the community. In the words of the Discussion Paper (p. 4): 'Young people should go on to get good jobs. Young people need to want to do this. Job skill and aspirations should start at school! Yet if respect for Aboriginal culture is to be more than a platitude, one might say that *government* should recognize that men like X need to have successors like Y from the younger generations, and that young people who aspire to fill such roles in the Yolngu domain should not have to face an either/or decision: either a (more or less well-paid) job (somewhere else) or an impoverished existence as a cultural expert (locally).

The thrust of the proposals in the Discussion Paper is towards forcing just such a choice on Yolngu youth. The alternative is to take culture and its concomitant commitments seriously, as the Yolngu continue to do, and assist them to build a local regional economy in which Y and others like him can combine their roles as workers in both 'worlds'.

ENVISAGING A REGIONAL ECONOMY THAT BUILDS ON LOCAL ASPIRATIONS

Currently there seems to be a conceptual chasm between two views of potential economic development in the Northern Territory and other parts of remote Australia. The dominant view, and the one that seems to underlie the Discussion Paper, sees these areas primarily in terms of extractive industries, predominantly mining. In such an economy, the future envisioned for local Aboriginal people focuses on readying them for employment in the mining industry, in businesses that support the infrastructure of mining enterprises, and in the state sector (in areas such as municipal services, administration, health and education). In the Nhulunbuy-Yirrkala area, local Yolngu are involved only marginally in this economy, despite the existence of the mine and the mining town since the late 1960s.

The reasons for these low levels of engagement are complex, but the dominant view sees it in terms of 'deficit' in Indigenous people's capacities: low levels of literacy and numeracy, lack of a 'work ethic', a culture of welfare dependency, cultural 'barriers', and so on. But other factors—the view from the Indigenous side of the fence—must be taken into account in addressing the need for 'increasing Indigenous economic opportunity'. Most Yolngu people feel no ownership of this economy—it is not 'their' economy but one that has been imposed on them. They fought the coming of the mine in the Gove case, and in their view most of the 'dysfunction' in their communities can be laid squarely at the door of the mining town, which brought alcohol to their region against their will. The homelands movement in this area was a direct response to the coming of the mine—prompted by a desire to remove the young from the influences of the mining town and to reassert Yolngu occupancy of their traditional lands (Morphy forthcoming). In

short, Yolngu take a 'deficit' view of many aspects of mainstream society (Morphy 2007). The Discussion Paper assumes that the perceived 'capacity deficits' of Aboriginal people simply have to be addressed, and that then progression into this economy will follow unproblematically. The view from the Yolngu side of the fence suggests otherwise. Certainly some individuals may make the transition that is envisaged, but the deep ambivalence that many others feel will prevent a wholehearted adoption of what is essentially the state's project for the Yolngu, not the Yolngu project for themselves.

The other view that can be taken of a regional economy such as this builds on Altman's idea of the 'hybrid' economy (see for example Altman 2001), which adds the 'customary' sector represented by the hunter-gatherer subsistence economy and its associated knowledge systems, values and practices to the more conventional dominant view of the economy which sees significance only in the state and private sectors. This subsistence sector has already undergone significant transformations, including commoditisation of certain products that derive from it, notably in the arts and craft sector. The burgeoning 'Caring for Country' movement, which is receiving support from some sectors of government through funding for IPAs and for ranger programs, also builds on skills and knowledge ultimately derived from the 'customary' sector of the economy. Yet this aspect of remote regional economies, which builds on socio-cultural capital that already exists receives no attention at all in the Discussion Paper as a possible source of employment for remote-dwelling Aboriginal people.

Who would have predicted 30 years ago that Indigenous art would become such a success story? Why are Indigenous people around the country embracing the idea of IPAs and ranger programs with such enthusiasm? The answer in both cases is the same. These are arenas in which Indigenous people can combine a way of life that maintains what they hold to be most important—connection to and caring for country and kin—with income-generating enterprises.

Wanyubi Marika, Head Ranger of the Yirralka Rangers, Laynhapuy Indigenous Protected Area, is also a renowned bark painter. In a recent exhibition catalogue for a show of his paintings in Sydney (Annandale Galleries in association with Buku-Larrngay Mulka 2008), the following exchange is recorded:

Will Stubbs (arts advisor): 'I guess that most people would be surprised to know that besides being an artist you are also a Senior Ranger.'

Wanyubi Marika: 'It's the same thing. Protecting the country through the *gamununggu* [ochre painted sacred designs] is the same thing as protecting the land physically as a ranger. There is no difference.'

Nicolas Peterson has drawn attention to the concept of the 'Indigenous life project', characterising the homeland movement of the 1970s as an Australian example:

Recent writing on development coming from North America makes a distinction between Indigenous life projects and development projects. 'Indigenous life projects' refers to the desires of those Indigenous people who seek autonomy in deciding the meaning of their life independently of projects promoted by the state and market, and to people developing their own situation-based knowledge and practices in the contemporary world ... these can involve partnerships and co-existences, where such are not denied by the encompassing society, and involve continuously emergent forms and resilience on the part of Indigenous people (2005: 7).

In my view, 'caring for country' through ranger programs, particularly within the IPA system, constitutes an emerging example of an 'Indigenous life project', but one that simultaneously articulates in a potentially very productive way with economic development more generally. This is a context in which people can immediately see the value of training and the acquisition of skills that can then potentially be transferred in the future to other enterprises or styles of employment. These programs can serve as a platform for the development of small business enterprises—in tourism and in the commoditisation of local floral and faunal products that once formed the basis of the subsistence economy. And there are probably other

kinds of enterprises that we cannot imagine at the moment, just as we never imagined today's Indigenous arts sector, or cultural events like the Garma Festival. Well coordinated and well focused support from government for training in the context of building such enterprises will give people work-related skills which some may then opt to transfer to other contexts.

The advantages for remote-dwelling Indigenous people of building such a mixed economy are augmented by an advantage to the nation as a whole. Such an economy will keep the remote areas populated, with communities that are more than just holding places for those not 'able' to join the mainstream. Does the nation really want to contemplate a future in which the entire population is urbanised and where everything else is wilderness—for without its inhabitants to care for it, it will truly be a wilderness—interrupted only by the activities of a fly-in-fly-out mining industry? Or does it want to contemplate a future in which Indigenous people continue to care for their country, for the benefit of the nation as a whole?

These questions go far beyond the project envisaged in 'Increasing Indigenous Economic Opportunity', but they are a necessary context for successfully developing such opportunities. Many of the building blocks are already in place, but the vision of the whole is missing.

THE GOVERNANCE OF GOVERNMENT

It is very heartening to see the change in government attitudes to CDEP organisations since the 2007 election. The new willingness to consult respectfully rather than dictate from the centre is very welcome. However, consultation is not enough. Having observed first hand the deleterious effects of the policy settings and styles of delivery under the previous government (Morphy forthcoming) I make the following observations:

- 1) The delivery and administration of CDEP should remain with successful community organisations that have local knowledge and a coherent and holistic view of the societies and cultures of their regions, as well as knowledge of the individual participants within that context.
- 2) The local knowledge contained in these organisations about constraints on and opportunities for development and employment should be respected, and should inform policy settings. The system of consultation with CDEP organisations that is beginning to evolve in the Top End should be formalised and institutionalised. In the past there has been far too much emphasis on accountability upwards to government and insufficient emphasis on downwards accountability of government to organisations and participants.
- 3) One of the great bugbears of delivery styles in the past has been their fragmented and uncoordinated nature, and this became worse in the final years of the previous government. In particular, in the absence of support for regional planning that would have created enterprises and jobs, the delivery of training has been inconsistent and has not been properly linked to outcomes. All these aspects of training and job creation, in a regional context, need to be supported and properly funded, in a coordinated way. The proper place for augmenting the training aspect of CDEP is within the organisations themselves through a properly staffed and funded training section.
- 4) I am a strong supporter of the idea of multi-year funding for demonstrably well-run CDEP organisations. The 12-month funding regime is inconsistent with the task of building enterprises and job opportunities, particularly when training (in many cases starting with basic literacy in English and numeracy) is a necessary precursor for many CDEP participants. A three or even five-year cycle would be much more compatible with the medium-term timeframes involved.

The 12-month timeframe also results in unnecessarily burdensome levels of administrative effort being devoted to applying for and acquitting grant funding. I have great respect for the way in which organisations like the Laynhapuy Homelands Association have not just coped with, but have responded proactively and positively to the unconscionable levels of uncertainty that surrounded the CDEP scheme after its move to DEWR, and most particularly in the early stages of the Intervention. These organisations deserve the opportunity to show what they can do under a more sensible and productive regime.

CONCLUSION

This response to the Discussion Paper does not deny the need for economic development and economic opportunities for remote-dwelling Aboriginal people. But it does raise fundamental questions about the premises upon which current thinking seems to be based. In particular it draws attention to a deep-seated and unexamined paradox, in which some policy strands seem to be directed to keeping people on country (for their benefit, but also for the benefit of the nation as a whole), while other strands, such as the one outlined in this Discussion Paper, seem designed to socially engineer the Aboriginal population into areas which have 'established economies'. Secondly this response draws attention to the ethnocentric bias of the enterprise, which ignores the existence of the social fields in which remote-dwelling Aboriginal people are embedded, and from which they derive their identity and their systems of value.

These social fields have undergone change under the impact of colonisation, and will inevitably continue to change. They are not 'cultural museums'. But unless change is managed so that people themselves feel ownership of the process, and in a way that speaks to their—rather than the market's—concerns, and that reflects their—rather than the state's—aspirations, we will be gazing in a few years' time on yet another failure in Indigenous policy.

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