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Voluntary or Involuntary? Non-government Agencies in the Contracting State

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1   Introduction

In a study of non-profit organisations (NPOs) in 13 countries, Salomon and Anheier (1997) concluded that the attitude of government may be the most crucial issue affecting NPO's viability. Particularly important, they said

> '...is the overall posture of government elites toward alternative centres of organized action. Where such elites are defensive and jealous of other potential power centres, they will either limit the scope of nonprofit organizations and the incentive for voluntary action, or seek to use such institutions as instruments for expanding their own influence and control. (Salomon and Anheier, 1997: 501-2).

Only two years earlier Salomon (1995), in looking at nonprofit organisations in the US, suggested there was no basis for concern that their independence, agency purpose and internal management style were being threatened by government. Instead

> More troubling may be the concerns on the public side - that reliance on nonprofits to deliver publicly financed services can undermine public objects and inflate costs. (Salomon, 1995: 109)

Herein lies a dilemma in examining NPOs: conclusions may be heavily influenced by the data examined, but especially by the researcher's philosophical orientation to the role of NPOs. This stance should therefore be declared. We will clarify our position through outlining the concerns which led to this research. Our focus is on human service non-profit organisations (more commonly known in that field as non-government organisations or NGOs).

Salomon and Anheier's (1997) sample did not include Australia, but the conclusions sound familiar. We have been drawing attention to similar issues for over two decades (see Liddell, 1975 and 1978; Liddell and Murphy, 1998).

However, there are particularly contemporary aspects of the problem. Our initial concern was that in the prevailing contracting climate there were two major consequences increasingly observed:

- some of the key principles which historically motivated this group of agencies seemed increasingly to be abandoned - especially advocacy, and the provision of services not funded by government; and

- some agencies were going out of business entirely. While the birth and death of such agencies is not new, their existence is now heavily determined by whether and how governments contract for services, what they contract, and who the contracting process favours.

We were concerned about these apparent trends and sought to understand how agencies adapt to the contracting climate. In this research we focus on NGOs providing child, family and community services. The objective is to clarify the consequences of different patterns of agency behaviour and adaptation.

We will identify the major contextual issues facing the agencies. We will briefly describe the research, and present case studies which show up major patterns of adaptation which have emerged. Finally we will identify the key issues which influence the way our sample agencies are coping.

While the agencies studied are from Victoria, many of the issues raised here have broader significance. Results are preliminary, but we believe that early reporting will be of value, especially to the agencies themselves.

2   Context and Theory

The current context for human services is heavily influenced by the funder-regulator-provider-consumer paradigm. Governments increasingly define their role as that of funder and regulator of services, seeing NGOs and for-profit agencies as providers. This conceptualisation is partly intended to deal with the supposed conflict of interest faced by governments when they simultaneously fund, regulate *and* provide services. The role of service users is frequently described as that of 'consumer'. This has paradoxical elements, especially when the service user is an 'involuntary' consumer - that is, subject to statutory orders.

The funder-regulator-provider-consumer paradigm is rarely defended in detail; its proponents tend to assume its appropriateness is self-evident.

Victoria provides an example of how NGOs can be affected, directed, and constrained by functioning within this model. Contracts between the Victorian Government and NGOs normally contain confidentiality clauses which constrain agencies from commenting on government policy, under threat of losing funding. Few agencies, to our knowledge, refuse such contracts. Obtaining a contract (or, more positively, continuing their role in service provision) may in practice be more important to many agencies than advocating for better policies and improved services.

Constraints on the role of NGOs are not new (Liddell 1997), and for decades they have increasingly had their vision constrained by the availability of government funds. The services they provide tend to be confined to those for which government funding is available. Agencies frequently receive 80 per cent, often close to 100 per cent, of operating funds from government. We have also analysed elsewhere (Liddell, 1997) the significance of the shifts of name applied to the field over time - from 'charitable' to 'voluntary', 'community based', 'non-government', 'third sector' and 'service provider'. The sequence involves terminology increasingly chosen by governments or others, rather than the field itself - further indicating how control has slipped from the NGO sector's grasp.

Conceptualisations of its role by the field itself are also not evident in recent years. Kramer (1979), in a four-nation study of NGOs in the disabilities field, suggested that the main roles they played included value guardian (or defender of certain values, especially voluntarism); specialist; service provider; and advocate. Kramer noted that a role traditionally attributed to these agencies - innovator - no longer defined a difference between government and non-government agencies, if indeed it ever did.

Analysis of these roles suggests there are two which provide a distinctive role for NGOs:

• advocate from outside government; and

• provider of services which are outside the mandate of government.

There are other features which distinguish this field from that of government - here we are concerned only with what is distinctive about what they *do*. Our position is that it matters that there is a separate, distinctive, independent non-government community service sector. Responses to emerging and sectional needs, diversity (Douglas, 1983), advocacy for improved policies and services; these are dependent on it and shape the focus of this research.

One wonders what a more recent study than Kramer's would find. In Victoria we would certainly still find that innovation is not a feature of the non-government sector alone. Observation also suggests that NGOs which perform a strong

advocacy role are now few in number, and that such agencies do not commonly provide many services outside those mandated and funded by government. We also wonder if the guardianship or preservation of particular values is still consistently a distinguishing mark, given the constraints of the contracting environment. The oft-repeated charge that NGOs are little more than an arm of government may be closer to the truth than ever (Murphy and Thomas, 1998).

However some agencies seem capable of surviving and thriving. Our aim is to identify why and how they do so, inquiring as well:

- whether agencies find themselves under threat, and why; and

- whether agencies carry out distinctive NGO roles. Do they advocate, and carry out functions outside those mandated by government?

We note an alternative perspective for such research. This field has been the subject of considerable theorising in recent years, emphasising economic considerations and the operations of the market place. These theories (see for example Weisbrod, 1975; Clotfelder, 1992; Kramer, 1992; Douglas, 1983; Salomon, 1995; and alomon and Anheier, 1997) take up some of our philosophical argument but give them a considerably different context. Few of these writers, for example, pay attention to the advocacy role of the non-profit sector. Some (see Salomon, 1995) seem distinctly uncomfortable with it, though Douglas (1983) endorses it and equates advocacy with the development of greater diversity. The following describes the focus of some market-oriented perspectives (see Weisbrod, 1975; Clotfelder, 1992; Douglas, 1983; Salomon, 1995; and Salomon and Anheier, 1997).

Market failure and government failure theories examine the limitations of markets and governments in producing goods for collective consumption. The non-profit sector, in this theory, meets unmet demand as an alternative supplier of collective goods. Voluntary failure theory examines the limits of the non-profit sector in generating private support, suggesting that left alone it can be expected to provide limited services and needs help to gain greater access to broader sources of funds. This is, in part, an argument for a government/non-government partnership approach, as is third party government theory. The latter refers to the use of a wide variety of contracted agencies now carrying out government functions, resulting in a system of 'third party government' in which governments share some discretion in the spending of public funds and the exercise of public authority.

Contract failure theory argues for the limited relevance of market-based approaches to the role of the non-profit sector. Since the purchaser is not the consumer normal market mechanisms do not apply. Governments, since they regulate, also cannot play an 'umpiring' role which ensures both quality and trust.

Supply side theory suggests that the activity of non-profits is not only a response to supply and demand within the market place, but to the supply of entrepreneurs who are prepared to meet demand through the support of non-profit organisations. This position is of current interest in view of the encouragement of the Prime Minister to business organisations to assume greater obligations in society, and it shows up as a significant variable in the patterns of adaptation we encountered in our research.

We have drawn on these ideas, but more from organisation theory because we are interested in internal factors which influence how organisations respond and adapt to external pressures. These, together with the role analysis of Kramer (1979), provide a starting point which more adequately reflects those motives and pressures which drive the agencies in question. Perspectives based on market-place theories provide limited insights into the agencies' roles as *they* view them.

3   Methodology

The purpose of this paper is to report preliminary findings from a survey. However, a brief description of methodology will add context to those findings.

The sample (currently 25 agencies) is drawn from a diverse population (numbering hundreds in Victoria alone) of non-government human service agencies which work in the community information and community and family support areas. They may do anything from advising on local bus timetables to providing alternative care for abused children. They may be primarily 'staffed' by volunteers or be highly professionalised. In this seeming incompatibility there is considerable overlap between what many of the agencies do. Many largely volunteer-supported agencies provide quite specialised services - financial counselling, family counselling, drug and alcohol counselling, and so on.

Current sources of data about our sample include document studies and interviews with senior managers. Preliminary analysis has involved identifying which of the many organisational variables are worthy of study in addition to the issues of threat, advocacy and provision of services outside those mandated and funded by government. There are aspects of organisational history, culture, leadership, and size which are relevant but which we either have not studied yet or which pose problems of conceptualisation and measurement which cannot be resolved until we have a larger sample.

For example, organisational size is a relevant concern. However, if we were to adopt the perspective of organisational studies in other fields, we would assume that a 'large' organisation was one employing 1500-2000 staff, and that an organisation with less staff would be 'small'. By that criterion there would be

very few human service organisations in our field of study which could be described as 'large'

The smallest agencies currently in our sample employ somewhere between 0.5 and 1.2 equivalent full-time (EFT) staff and have a budget of $100 000 - $150 000. Even these are misleading indicators of size, since such agencies may also have dozens of volunteers who are primarily responsible for providing services.

The largest agency in our sample employs 80 staff and has an organisational structure of considerably greater complexity than the smallest. Study of the documentation of many agencies not yet in our sample suggests there may be little difference in the way agencies of 80 staff and those employing hundreds are adapting, but that remains to be demonstrated.

The question of what constitutes a medium sized agency in this context is vexing. We can identify a group of agencies occupying the middle ground. They employ more than probably six staff, but are small enough not to need professional or program departments (that is, they employ probably less than 12-15 professionals).

It is not yet clear where the boundaries between these groupings should fall, nor is it clear whether analysis will be aided by the addition of other categories denoting size. It is not even clear how much 'size' as a variable matters, since our findings imply that it operates in tandem with other variables rather than as a separate influence on agency adaptation.

Concentration to date has been on smaller agencies, for two reasons. One is because many seem threatened; our concern is to determine why and how. The second is because many larger Victorian agencies have recently been going through processes of amalgamation. Studying them at this time would possibly distort conclusions. However, as the amalgamations consolidate, a fair picture of these agencies' adaptation to the contracting environment should emerge.

4   Case Studies

We will focus findings on patterns of agency adaptation, through case studies which essentially show three basic patterns. Care has been taken to protect the identity of the agencies, which have been chosen to reflect three major patterns of adaptation which we have so far identified via content analysis of the data. To avoid repetition, we will rely on the case studies themselves to indicate the variables studied to date.

Advocates and Alternative Service Providers

Agency A

This agency was established several years ago due to service and policy gaps perceived by its founders. The initial years were difficult, but it is now financially sound. Its mission is broad, including service delivery, education, research, and advocacy. Some activities are conducted in-house; some through funding other agencies.

Agency A ensures that a maximum of one-third of operating funds come from government. Fund-raising has been assisted by the recruitment to its board of high-profile people with strong corporate sector links. It runs major private fund-raising activities. The agency comes under government pressure because of its educational and lobbying roles, but core functions are not threatened because of their independent funding.

Agency A's main structural features are superficially similar to other NGOs. It has a board, an executive director, a program manager, and staff involved in administration, fund-raising and direct service. It employs around 10 EFT staff, and has an annual budget of around $1.5 million. It utilises few volunteers below board level. However, it networks extensively and modifies traditional structures by using project teams involving outsiders in its planning, research, educational and lobbying activities. It utilises the media heavily. It feels a certain level of threat from the current environment but feels the strategies it adopts protect it as well as possible.

Agency B

This agency was established around three decades ago by a group of local residents. It has three paid staff and 100 volunteers. Its structure broadly mirrors that of traditional NGOs but its elected committee of management is entirely comprised of local residents. Originally established to provide a local information service, it has expanded in recent years in response to growing demands for support. Service brokering, emergency financial relief, casework and counselling are now core services.

Agency B's main funding is from the Federal Government. Local council provides administrative infrastructure support, including staffing. One staff position is funded by a business organisation. The actual annual budget is around $150 000, but the total annual value of in-kind and actual funding is around $500 000. The resource or funding base is thus quite diverse and includes private fund-raising. Agency B's mission statement says that management independence is vital and it does not accept funding from sources which it believes may threaten this. It does not, therefore, apply for funding from the Victorian State Government.

While service provision is the core activity, the agency engages in social research and advocates actively with all levels of government about local needs and issues, emphasising the development of support and consensus rather than local conflict. It networks strongly, has a high community profile, maintains corporate links, and receives strong support from local newspapers and politicians. It actively promotes its work with people in poverty and the role of volunteers in this work. The commitment to local issues and involvement of local residents are key factors in its high level of community support.

Contracting Experts

Agency C

Agency C is typical of many church-based agencies established decades ago. It has a moderately sound financial base resulting from bequests of money and property. It would be regarded as medium to large in its field in respect to its service range and size of staff. It provides a range of services, mostly funded and required by government. It occasionally develops innovative services, but these were more in evidence 10 years ago than now. Agency C's activities are virtually entirely confined to service provision. The Church to which it belongs advocates on major community issues such as gambling, but not on service issues such as the problems associated with service contracts which directly affect agencies like Agency C. The agency depends on government for 85 per cent of its operating budget and competes successfully for government contracts. Only a small proportion of operating funds comes from other fund-raising activities - its largest source of non-government funds by far comes from interest on investments.

Agency C's structure is typical of church-based non-government agencies. It has a board, a chief executive officer and program managers, and it also has a line of accountability through the Church's central structures. The Church agency network and local parishes provide some external support, although the parish connections are limited. Networks with other church affiliate agencies feature competition as well as mutual support. The agency has several dozen staff and uses volunteers in minor roles, and it has an annual budget of several million dollars. It does not have well-developed corporate or political links, and use of the media is confined to occasional publicity for programs. However it is comfortable that its expertise provides protection in the current environment, and it feels no measure of substantial threat.

Agency D

Agency D is a long-established residential care agency for children needing care and protection. It has a staff of 30 and an annual budget of over $1 million. It has a traditional non-government agency structure and the composition of board and

staff has changed little over recent decades. This has enabled the agency to maintain strong continuing relationships with the local community.

Around 80 per cent of Agency D's income is from government sources, and services align closely with government priorities. Innovation represents only a minor divergence from these priorities. However Agency D owns its own offices and residential buildings and it has a strong investment base and strong local fundraising, so funding sources are relatively diverse in spite of reliance on government funding.

Agency D focuses on service delivery and is not engaged in advocacy beyond the individual case level. Its lengthy engagement in its own community and active public relations give it a high local profile, and this has led to strong support from local state politicians.

Like similar agencies, Agency D experienced conflict in the late 1980s with the state government about service priorities, with a resultant slowing of referrals from government and threats to withdraw funding. Since then there has been little conflict, though issues have arisen at times when governments have tended to favour larger agencies, with smaller agencies strongly encouraged to merge or risk being defunded. Agency D's strong local support and preparedness to adhere to government service priorities appear to have helped it survive this period, and recently it has experienced strong government support. It is not free of concerns about its vulnerability but finds that the strategies outlined provide protection.

The Threatened Species

Agency E

Agency E is typical of many agencies established in the 1960s/1970s in that it initially adopted a self-help focus. It was assisted in its formative years by a grant from a charitable trust. It obtained consultation and support from other non-government agencies and in the 1970s a large NGO managed its funds and provided free financial advice. Gradually Agency E moved away from self-help into direct service provision and became almost totally reliant on government funding. It continued service to what was largely a 'niche' client group. It has functioned largely on volunteer labour (using several dozen volunteers), employing only part-time coordinators and a part-time administrator (1.2 EFT staff). Its annual budget until recently was a little over $100 000.

Agency E's basic structural features are relatively typical, with a board and a service co-ordinator being the major features. The service is popular, but the board mainly consists of people who have been involved in the agency's other volunteer activities. There are no strong community identities on the board, no corporate

connections, little public relations, and no clear community base or community support. Refocussing of government priorities has led to it losing its government funding. It has been unsuccessful in seeking alternative funding and has been forced to close the service.

5   Themes

The following are the key themes emerging from the case studies. They are stated as propositions, and will partly form the basis for further research.

Agency Age

There is a possible link between agency age and form of adaptation. Those agencies coexisting with government strategies seem somewhat likely to be older, with stronger infrastructure, and well developed expertise. The younger agencies are amongst the strongest advocates and innovators, and also amongst the most threatened.

Size and Source of Funding

So far a definite relationship between size and capacity to function cannot be clearly determined; smallness can lead to vulnerability but only if additional factors are present. Our cases include agencies which are very small and also relatively large, and diversity of functioning and independence do not appear to depend on size as such. Large or small, the crucial variables are diversity of funding or resource support, and capacity to develop external community and political support. To the extent that size is an issue, one must regard it as a multi-faceted phenomenon.

Service Mission

Diversity of mission - including service provision, education, and advocacy - seems to be an important element in agency capacity to survive and prosper. Agencies which have a narrow mission, especially if it closely aligns with government policies, are either in danger of losing out on government contracts or are in danger of losing their independent activities. Some agencies which are thriving combine their diversity with specific policies protecting themselves against over-reliance on government funding. This combination of strategies is clearly associated with the capacity to offer services outside the mandate of government and with freedom to advocate.

Diversity of Funding Sources

Diversity of funding seems important. Not only do agencies which are largely dependent on one funding source have their existence threatened when funding is withdrawn, they are also vulnerable to threats to their independence if they survive. Diversity of funding provides a hedge against these threats.

Community and Political Support

External community and political support, in conjunction with other factors, can either strengthen the agency or provide some protection against its vulnerability. Agencies with narrow missions or funding sources might still be relatively impregnable if they have strong community and political support. Those with a broad mission and diverse funding sources are further strengthened by external support. Strength of support from the corporate sector is clearly significant.

Agency Structures

While all agencies in our sample have relatively similar structures, there are variations which may be important. Agencies with completely traditional structures may well struggle to adapt to changing times. Those with additional structural elements may adapt better. Such elements may include development of project teams to support various activities, especially if they include involvement of and support from the community and community networks. Involvement in work with coalitions, which requires negotiation and accommodation to the activities and policies of other NGOs, also appears likely to be important. In other words, structures which are innovative and involve concepts of organisation and accountability which are responsive to the environment may influence how well the agency copes with change.

6 A Typology of Adaptation

As can be seen, the concerns which fuelled this research were partly justified, but the results to date paint a somewhat more complex picture of how adaptation is occurring.

We have suggested that a typology of adaptation is emerging from the case studies. There are obviously many variations possible; we have opted to keep the typology simple and draw attention to the most central trends.

Type 1: The Adaptors

These agencies tend to be the larger agencies with typical and traditional structures and with the size and capacity to compete and obtain government funding, and therefore to adapt and maintain themselves. They either feel limited threat or have accommodated to it. They provide few services which are not government funded and advocate publicly either rarely or not at all.

Type 2: The Innovators

These agencies might be smaller (though not necessarily so), feature a diversity of financial inputs, and have strong community and political support. Structures might involve greater networking and contain features common to 'project structures'. These features, whilst not automatically leading to agencies having a greater capacity for survival than Type 1 agencies, might be more consistent with possession of a capacity both to provide services not funded by government and to advocate. Significantly, these agencies often put policy constraints on the receipt of government funding.

Type 3: The Threatened Species

These agencies might not only be small, but might feature a single-service focus or limited service diversity, reliance on one source of funding, and typical and traditional structures. Community, corporate and political support may be limited or non-existent. These features equate to an apparent lack of capacity to survive current trends.

7   Conclusion

We have been concerned here with the characteristics of these agencies rather than the details of action strategies they use to adapt, or survive, or be independent. Those strategies are another story.

Diversity of sources of finances and/or resources, a diverse service mission, and flexible structures, and strong political and community support, seem to be the distinguishing features of agencies which retain maximum independence in the contracting environment. Size may not be a crucial factor if other positive factors are present; relative smallness may well constitute something of an asset.

What is in doubt is whether the promotion of independent values, provision of services outside government, and advocacy - hallmarks of the distinctive NGO - can co-exist with heavy reliance on government funding. Some levels of government may be more benign sources of funds than others, though this is far

from certain. Advocacy by agencies which receive Victorian Government funding is clearly hazardous, and imposing limits on this advocacy could well also threaten retention of key features of their value base. Type 1 agencies are examples of this phenomenon.

Agencies which value a distinctive and independent role clearly will experience less threat if they have diversity of funding and limited reliance on Victorian Government funding. As a consequence they are dependent on strong community, corporate, and political support and can be vulnerable particularly to variations in the financial health of the non-government sectors of the community. Our Type 2 agencies exemplify this group; their characteristics seem to be most conducive to the playing of an advocacy role and provision of services outside of government mandate and funding. Our Type 3 agencies, the threatened group, possess few or none of the characteristics of the other types.

Our emphasis here has been to map broad typologies; a listing of all the potential categorisations of response would confuse rather than draw attention, as we wish to do, to the consequences of the broad courses of action possible. Agencies vary in the degree to which they possess the characteristics outlined in the typologies.

That said, there is clearly more than one way to survive and thrive. The critical deciding factor will be a value judgment: what are the costs of each option and what are our NGOs prepared to pay for them?

References

Clotfelder, C., ed. (1992), *Who Benefits from the Nonprofit Sector?*, University of Chicago Press, Chicago.

Douglas, J. (1983), *Why Charity? The Case for a Third Sector*, Sage, Beverly Hills.

Kramer, R. (1979), *Voluntary Agencies in the Welfare State*, University of California Press, Berkeley.

Kramer, R. (1992), 'The role of voluntary social service organisations in four European states: policies and trends in England, The Netherlands, Italy and Norway', in Stein Kuhnle and Per Salle, eds, *Government and Voluntary Organisations: A Relational Perspective*, Avebury, Aldershot.

Liddell, M.J. (1975), 'An enquiry into child welfare - why?', *Hops, Steps and Jumps*, 1(1), 1-2.

Liddell, M.J. (1978), 'The takeover of the voluntary sector', *Hops Steps and Jumps*, 4(3), 12-16.

Liddell, M.J. (1997), 'Funders, regulators, providers and consumers: child welfare abandons logic and freedom', *Proceedings of the 25th AASW National Conference*, Vol. 2, Australian Association of Social Workers, Canberra, pp. 415-22.

Liddell, M.J. and J. Murphy (1998), All My Pictures Seem to Fade to Black and White: The Inevitable Future for Service Providers?, paper presented to 4th National Australia and New Zealand Third Sector Research Conference, Melbourne, June.

Murphy, J. and B. Thomas (1998), The Corporate Sector: A Viable Alternative to Government Funding for Neighborhood Services, paper presented to 4th National Australia and New Zealand Third Sector Research Conference, Melbourne, June.

Salomon, L. (1995), *Partners in Public Service: Government-Nonprofit Relations in the Modern Welfare State*, John Hopkins U.P., Baltimore.

Salomon, L. and H. Anheier (1997), *Defining the Nonprofit Sector: A Cross-national Analysis,* Manchester U.P., Manchester.

Weisbrod, B. (1978), 'Towards a theory of the non-profit sector', in Edmund S. Phelps, ed., *Altruism, Morality and Economic Theory*, Russell Sage, New York.

Pharmaceutical Markets and Social Responsibility: Recent Policy Developments in Australia and Sweden

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1   Introduction

Transformations in the international political economy are often identified as a cause of pressures on established social policy programs. For example, Crouch and Streeck (1997) view the Anglo-American model of capitalism as a potent threat to welfare state arrangements in Germany, Scandinavia and elsewhere. On the basis of a similar analysis, Australian business groups and advocates of 'third way' public policy reform promote a lean, highly targeted welfare system premised on mutual obligation (Latham, 1998; Macintyre, 1999).

By contrast, a major stream of social policy analysis highlights the resilience of the welfare state. In this perspective, factors such as the size and influence of interest groups, the unpopularity of cutbacks and consequent electoral considerations by governments, and the general 'stickiness' of institutions, allow for only marginal adjustments to the established welfare state (Pierson, 1996). Levels of public expenditure on social protection have in fact been quite stable since the 1970s.

In Australia, welfare sector lobbyists have a significant presence in the public policy process through ACOSS and related groups with a large constituency. Around one-quarter of the Australian adult population depend on government benefits as their primary source of income. In Sweden, the reduction of various social insurance entitlements in the 1992-1997 period (when public finances were weak) was followed by the restoration of earlier entitlement levels within several programs, e.g. child allowances (Riksförsäkringsverket, 1999). In both countries, shifts in welfare programs have typically been 'negotiated and consensual', with little evidence of radical rupture (Esping-Andersen, 1996: 24).

This emphasis on stability can be taken a step further. Arguably, the causal link between globalisation and the welfare state is the reverse of that which posits a downward spiral flowing from increased international competition and interdependence. Katzenstein (1985) in a well-known analysis demonstrated that systems of social compensation facilitated the successful participation of smaller European nations in international markets. Recently, Rieger and Leibfried (1998: 364-5) have claimed that the 'stronger the pressure of globalization and the more open a country's economy is, the more difficult it becomes to touch the status quo of the welfare state'.

Many aspects of social policy change, however, cannot be captured adequately by the contrasting of a model of welfare state crisis and rollback with the stability of actual social policy expenditure. Clayton and Pontusson (1998) argue that the 'resilience of the welfare state' thesis does not pay sufficient attention to changes in modes of public sector service provision, or to the context within which welfare services are produced. For example, a change of service provision from 'non-profit production and allocation of output according to political criteria' to out-sourced delivery within a market environment can have major implications irrespective of the extent of shift in expenditure levels (Clayton and Pontusson, 1998: 70). The analysis must also take account of circumstances that affect employment and living conditions, and thereby the extent of needs for social protection. Clearly, if market-generated inequalities increase - as has been the case in most OECD countries in the past twenty years - then a falling effectiveness of welfare programs can be compatible with unchanged or increasing levels of social expenditure. A case in point is the emergence of mass unemployment in Sweden from the early 1990s, which has reinforced substantially the residualist elements within a welfare state that historically was based principally on universalist entitlements. Means-tested social assistance now sustains a significant proportion of Swedish households, notwithstanding stable levels of aggregate social policy expenditure.

This paper describes and compares changes within one particular program area – pharmaceutical benefits - in Australia and Sweden. The purpose is to contribute to the type of detailed analysis that Clayton and Pontusson (1998: 98) argue is necessary for a well-rounded assessment of 'current patterns of welfare-state retrenchment and restructuring'. In summary, the paper demonstrates that government expenditure on pharmaceutical benefits has increased in both countries in the 1990s, ostensibly lending some support to the 'resilience' thesis. However, it is suggested that such a conclusion must be qualified for several reasons. Social protection in this case is provided within an economic and sectoral context that governments are less and less able to control. To contain cost pressures flowing from developments in the pharmaceutical markets, governments have made frequent adjustments to pharmaceutical benefit

arrangements. Importantly, program alterations in the past decade have had the effect of extending gradually the scope of market mechanisms, and to that extent the social policy impact of pharmaceutical benefits has diminished. This is particularly evident in Sweden, where historically, close-knit networks with strong state participation, and decommodifying pharmaceutical benefit arrangements, are being supplanted by international interdependencies and growing reliance on market mechanisms. Swedish consumers are now expected to respond to price signals and carry the cost of prescription drugs to a greater extent than at any time in the past half-century.

2 Characteristics of the Pharmaceutical Sector and Regulatory Arrangements in Australia and Sweden

Overlap between or a lack of clearly enunciated policy objectives makes a separation difficult between 'social policy' and other public policy programs within the pharmaceutical sector. Sweden's state-owned pharmacy corporation, for example, is a commercial services provider generating substantial revenue for the state but is, nevertheless, emblematic of the Swedish welfare state. Similarly, product safety and efficacy controls do not constitute social policy (as normally understood) but are intertwined with other programs with a distinct welfare policy rationale, notably pharmaceutical benefits. By way of context, this section provides a condensed description of regulatory arrangements within the Australian and Swedish pharmaceutical sectors.

The medicinal drug sector in all industrially developed countries is subject to extensive state regulation. The antecedents of some contemporary government controls go back centuries; thus, the Swedish government commenced regulation of drug prices in 1688 (SOU, 1998: 50: 37). Providing a modern rationale for state intervention, economic analysis has identified various 'failures' of pharmaceutical markets, notably the information asymmetry affecting relationships between suppliers, prescribers and consumers. In most countries each step of the production and distribution chain is regulated by governments in one way or another (Schweitzer, 1997).

Until the 1980s, the trend in countries such as Australia and Sweden was for direct state controls, exercised at arms-length from suppliers, to become increasingly stringent and comprehensive for the purpose of ensuring access to safe, efficacious and affordable prescription medicines. This trend has since been reversed with higher priority now being accorded to economic efficiency considerations, and the preference is now for patterns of co- and self-regulation premised on 'partnerships' across the public and private sectors (Löfgren, 1996).

Yet, the pharmaceutical sector remains more tightly regulated than possibly any other industry. Rigorous product testing and monitoring is undertaken by agencies such as Australia's Therapeutic Goods Administration (TGA) albeit increasingly premised on a collaborative relationship with suppliers. The Australian and Swedish pharmaceutical sectors are regulated along similar lines, and are subjected to similar pressures and challenges flowing from processes of globalisation of research and development (R&D), production, and marketing. Table 1 identifies core agencies and regulatory functions in Australia and Sweden, and highlights basic characteristics of their medicinal drug sectors.

Agency fragmentation is recurrent within the pharmaceutical domain, and is particularly pronounced in Sweden. In Australia, the Department of Health has been dominant historically, but a new emphasis on industry development objectives from the late 1980s has reinforced divisions within the federal bureaucracy.

The Swedish Medical Products Agency and Australia's Therapeutic Goods Administration perform equivalent functions. A similar range of products has been approved in both countries, and comparable standards are applied in the assessment of product safety and efficacy. Both agencies support and take an active role in the international process of regulatory harmonisation (and Sweden has harmonised its regulatory requirements with those of the European Union). By contrast, there are stark differences in the structure of retail distribution and in the profile of the drug manufacturing industries of the two countries.

In Australia, 'community pharmacies' operate as small businesses regulated by and dependent upon State and Federal authorities. In Sweden, retail distribution since 1971 has been the monopoly responsibility of a state-owned corporation (Apoteket AB). Until recently, this corporation also functioned as a regulatory agency, a double-role inconsistent with prevailing notions of good public management. Consequently, responsibilities such as price negotiations with suppliers have been transferred to other agencies. Neo-liberal forces have criticised the state pharmacy monopoly for many years, and privatisation was initiated by the non-socialist Coalition Government of the 1991-94 period. A commission of inquiry in 1998 recommended the introduction of competition with private retailers, and other steps towards deregulation and privatisation (SOU, 1998: 28). However, the government in March 1999 decided to retain the state monopoly with only minor modifications, a decision that reflects the popular support that Apoteket AB continues to enjoy.[1]

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1   Sweden under recent social democratic governments as resolutely as any other country has pursued privatisation and competition policies (and related public sector reforms), e.g. in the electricity and telecommunication industries, and in postal and taxi services. The role of Apoteket AB parallels that of the state monopoly on alcohol sales, though the latter arrangement has always been far more contentious.

Table 1: Core Agencies and Regulatory Functions of Medicinal Drug Sectors in Sweden and Australia

	Sweden	**Australia**
Marketing approval, safety regulation	Medical Products Agency	Therapeutic Goods Administration
Pharmaceutical benefits	Subsidies covering all prescription drugs taking effect as consumer expenditure reach certain levels, plus safety net. No means testing. National funding; operated by regional governments.	Pharmaceutical Benefits Scheme (PBS). Subsidy of 'listed' drugs taking effect above certain price/co-payment levels, plus safety net. Targeted to low income households. National system.
Price regulation	Light controls administered by National Board of Health and Welfare. Prices paid to suppliers comparatively high.	Pharmaceutical Benefits Pricing Authority (PBPA) approves prices as a step in the PBS listing process. Prices relatively low but gap to 'world level' diminishing.
Control of prescribers and monitoring of prescription and consumption patterns	National Board of Health and Welfare.	Department of Health and Aged Care administers a 'national drug policy'.
Retail distribution and geographic accessibility	State-owned monopoly. Around 10,000 people per pharmacy.	Private pharmacies subject to detailed regulation. Around 5,000 people per pharmacy.
Trade balance in pharmaceuticals	Positive with substantial domestic R&D and production. Following mergers, Astra (AstraZeneca) and Pharmacia (Pharmacia-Upjohn) have moved head offices overseas.	Negative but growth of domestic R&D, production and exports by foreign multinationals in the past decade. Australian-owned firms marginal.
Industry policy	No special pharmaceutical industry policy program.	Factor f/PIIP since 1987 administered by the Department of Industry to compensate some firms for low PBS prices in exchange for expansion in Australia.

Nationalisation of the Swedish retail pharmacy sector occurred when support for state participation in the economy was stronger than at any other time. It has recently been suggested that the general political climate of the late 1960s rather than rational considerations explain the creation of this monopoly corporation

(SOU, 1998: 28: 160). Also in the 1960s, the Swedish government acquired ownership of two drug manufacturing firms (Kabi and Vitrium). State ownership within the pharmaceutical industry was further extended until a change of government in 1976.

Following a process of industry restructuring and privatisation, Astra and Pharmacia in the 1980s emerged as major research-based drug firms with large exports. (Astra's ulcer medicine Losec in 1996 generated more revenue globally than any other medicinal drug product.) Leaving the question aside of whether intermittent state-ownership was a positive or negative factor, this success story is explained partially by the close interaction historically of medical research institutes, the public health system, and the drug manufacturing industry within a well-functioning domestic system of innovation.[2]

By contrast, in Australia pharmaceuticals in the postwar period were manufactured locally by multinational firms for the domestic market or imported. Industrial innovation and the fostering of export-oriented firms were not a consideration in the design of regulatory arrangements. These differences are reflected in the relatively high prices received by drug manufacturers in Sweden, in contrast to the relatively low prices that the Australian Government as *de facto* monopsony purchaser could extract through the Pharmaceutical Benefits Scheme (PBS). However, with the rapid globalisation of the industry in the 1990s, price differences are diminishing and regulatory arrangements are being progressively harmonised.

As an open, export-oriented economy with strong drug manufacturing firms, Sweden has not had a need for specific industry policy programs. Rather, the regulatory environment generally has been supportive of the domestic industry. Australia, on the other hand, in 1987 initiated a sectoral industry policy (the Factor (f) program) to create stronger incentives for multinational firms to undertake manufacturing, R&D and export activities, at a total budgetary cost of approximately A$1 billion over a ten year period (Löfgren 1997). This program was followed by the similarly structured Pharmaceutical Industry Investment Program (PIIP) commencing in 1999 and scheduled to conclude in 2004 which has received an allocation of A$300 million (Department of Industry, Science and Tourism, 1998).

The emergence in Australia of industry growth as a sectoral policy objective means that welfare and consumer considerations are now in direct contention with

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2   As theorised in the globalisation literature, 'national' interdependencies have now been partially subsumed by cross-national networks. This applies particularly in the case of large firms originating in small countries, such as Astra and Pharmacia which, in the 1990s, have lost much of their Swedish identity.

demands for a more industry-friendly environment. In particular, industry criticisms, voiced for decades, of the PBS for providing too generous consumer benefits at the expense of industry profitability have become increasingly strident in recent years.

3 Pharmaceutical Benefits

Pharmaceutical benefits were introduced in Australia and Sweden in the 1950s along with a range of other social policy measures such as child and family welfare, sickness insurance, and various housing and education programs (Hunter, 1963; Löfgren, 1998; Olsson, 1993). The purpose in both countries was to ensure access to appropriate prescription medicines irrespective of the financial circumstances of the patient. As a result, prescription drugs were *de facto* decommodified for a period of several decades; price signals ceased to be a significant determinant of the behaviour of prescribers and consumers. In recent years, however, consumers in both countries have had to carry an increasing share of the total cost of prescription medicines, and price signals have taken on a significance they did not have in the three or so decades from the mid-1950s. The direction of policy adjustments in the 1990s has been to wind back subsidies, albeit cautiously, through combinations of higher up-front consumer charges and/or higher safety net ceilings, and more restrictive subsidy conditions.

In making such adjustments, governments grapple with developments affecting both pharmaceutical supply and demand. On the supply side, the research-based industry is making available a stream of new expensive drugs, many designed to enhance the quality of life rather than to treat recognised illnesses. Open-ended subsidy arrangements make precise expenditure forecasting impossible and allow for rapid escalations of subsidy costs as new products become available. The response by governments has been to impose constraints on the level or conditions of subsidies or to exclude particular products altogether. For example, the much publicised potency drug Viagra is not currently listed on the PBS in spite of lobbying by its manufacturer, Pfizer (Hickman, 1999)[3]. On the demand side, the ageing of the population is the cause of an automatic rapid expansion of markets for many medicinal drugs. In both Australia and Sweden, the cost of pharmaceutical benefits in the 1990s has increased by around 10 per cent per annum in real terms, a more rapid increase than for health costs generally. A high proportion of this increase is due to the substitution of new, more expensive (but not necessarily more effective) products for older and cheaper ones.

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3   'The emergence of Viagra pushed the worldwide bill for treating impotence from $US 608 million to more than $US 1 billion between 1997 and 1998 ... Within three years the cost is predicted to go above $US 4 billion' (Hickman, 1999).

Australia

Since its commencement in 1951, the Pharmaceutical Benefits Scheme (PBS) has provided 'equity of access' to prescription drugs. The program was designed by Labor in the 1940s, but was implemented by the Menzies Government and subsequently expanded to provide free or low cost access to most prescription drugs to all sections of the population.

Total PBS expenditure in 1997-98 was A$ 2785 million (at 1997-98 prices) compared with A$ 2570 million in 1996-97, representing a real increase of 8.4 per cent. This compared to an average 11.7 per cent per annum real increase between 1992-93 and 1996-97 (Department of Health and Aged Care, 1998: 83-4).

The PBS minimises the risk of financial hardship ensuing from pharmaceutical expenses in case of illness or injury (in most instances). The program is also a core mechanism whereby the Federal Government has been able to structure interaction between major ac rs withi he pharmaceutical sector. Listing of a product on the PBS Schedul means th. the Government agrees to subsidise its cost (normally above the level of a co-payment) to the consumer in certain circumstances. Most commentators consider the PBS Schedule to be sufficiently comprehensive for the appropriate treatment of the vast majority of medical conditions, but there is also a smaller market for approved prescription drugs that are not PBS-listed. New 'life-style' drugs pose cost challenges for the PBS (decisions about listings resulting in major cost increases are now taken by the Federal cabinet).

The PBS listing process has been subject for many years to a great deal of contention, with suppliers seeking faster, cheaper and more transparent decisions. In the 1990s, the process has become even more complex, notably through the introduction of mandatory economic analyses. Suppliers, as a condition for PBS-listing since 1993, must demonstrate not only health benefits but also acceptable cost-effectiveness.

As noted, the consumer is required to make a co-payment. In 1999, general consumers pay A$20.30 for each prescription item, and the concessional co-payment (for pensioners, the unemployed and low-income families) is A$3.20 per prescription. A safety net applies to both general consumers and concessional beneficiaries on a calendar year basis. For concessional beneficiaries, the co-payment is removed once total eligible expenditure has reached A$166.40 within a calendar year. For general consumers, the co-payment decreases to A$3.20 when expenditure has reached A$620.60.

Co-payment increases in recent years have been relatively substantial and general consumers now pay the full cost of many products. Consequently, the vast bulk of government PBS expenditure is on concessional benefits. In 1997-98 government expenditure on concessional prescriptions represented 81.6 per cent of the total PBS expenditure (Department of Health and Aged Care, 1999). The program in this respect is highly targeted, but all consumers (whether direct recipients of subsidies or not) benefit to some extent from the general price-depressing effects of the PBS.

Notwithstanding various 'national drug policy' initiatives (for the purpose of achieving more appropriate prescribing and consumption patterns) the PBS operates separately from policy processes affecting the structure of, and prioritisations within, the overall health care system. The PBS is therefore a readily identifiable target each year when the federal budget is being prepared. The industry in Australia and internationally has a good case when it argues that the costs and benefits of medicines should be considered in the total context of health services delivery. (See, for example, a recent speech presented by the Chief Executive Officer of the Australian Pharmaceutical Manufacturers Association (Clear, 1999)).

The government will continue to grapple with pressures for the imposition of various constraints in order to contain PBS cost increases. Such considerations are weighed politically against the support that pharmaceutical benefits enjoy, particularly among the elderly and pensioner groups. In the short to medium term, it is unlikely that public expenditure on pharmaceutical benefits will decline in real terms, but changes in pharmaceutical supply and demand conditions ensure further adjustments. In current fiscal and political circumstances, the principal means of containing expenditure growth is through increased reliance on co-payments and market mechanisms, along the lines of the adjustments of the past decade.

Sweden

In the 1990s, the cost to the Swedish Government of pharmaceutical benefits increased by around 10 per cent per annum. Other health costs declined, and employment within the health services sector fell by 20 per cent between 1990 and 1998. These contrasting trends formed the immediate background to an extensive recent overhaul of pharmaceutical benefits. The new system introduced in 1997 a safety net arrangement with significantly increased consumer co-payments. Until staggered expenditure ceilings are reached, consumers pay the full or a diminishing proportion of the cost of prescription drugs. There is no process for determining product subsidy eligibility, as is the case in Australia, and

Swedish pharmaceutical benefits are thus more directly susceptible to cost increases flowing from the introduction of new products.

Deliberations leading up to the introduction of pharmaceutical benefits began in the Swedish parliament during the Second World War, paralleling similar discussions in Australia. The pharmaceutical benefits issue in the 1940s and 1950s was intertwined with the general question of structure and ownership of pharmacies and the manufacturing industry. A commission of inquiry was established in 1946 with the brief of proposing a 'rational plan' for the whole pharmaceutical sector, but pharmaceutical benefits did not eventuate until 1955 (SOU, 1998: 50: 31). In that year pharmaceutical benefits were introduced as an offshoot to a new comprehensive insurance system providing earnings-related cash benefits in case of sickness as well as certain other forms of support, such as maternity benefits (Olsson, 1993: 130-1).

Again paralleling developments in Australia, Swedish consumers from the mid-1950s had free access to a wide range of pharmaceuticals. This system remained in place until present arrangements were introduced in 1997, with a series of amendments and modifications in the intermediate period. Notably, in 1966 the number of conditions for which free drugs were available was increased, and the subsidising of other drugs was made more generous. A ceiling was also introduced for the total cost of medicines purchased at any one time. At the end of the life span of this system, consumers paid a flat rate of around A$ 30 (Skr 170) if a product was priced at, or higher than, this amount. For additional prescriptions submitted at the same occasion, consumers paid around A$ 13 (Skr 70).

On 1 January 1997 a new system came into operation. Each purchase is no longer necessarily subsidised. In 1999, the consumer pays the first Skr900 (around A$165) expended on any prescription drugs, whereafter staggered subsidies take effect. When a total expense of Skr4300 (around A$781) has been is reached, the consumer is eligible to received free prescription drugs for the rest of the year (Regeringens proposition, 1998/99: 106).

By Swedish standards, increases in consumer payments in 1997 and 1999 constitute a substantial cut to entitlements, and have generated considerable media attention and public discussion. Increases in 1999 were considered imperative by the government because the 1997 reform was followed by unanticipated budget overruns. Recently, the government has announced another review of the whole system of pharmaceutical benefits. Terms of reference specifically identified 'lifestyle drugs' and medical practitioners' free right of prescription as major issues in the context of the future viability of pharmaceutical benefits (Socialdepartement, 1999).

Beyond changes to the structure of benefit entitlements, the current system entails the devolution of management responsibility for pharmaceutical benefits from the central government to the 24 county councils that administer hospitals and other health services. Until 2001, the costs incurred by these regional administrations for pharmaceutical benefits will be reimbursed by the national government on the basis of annual negotiations. A new funding system will then be introduced, with the cost of prescription pharmaceuticals becoming an integrated component of the budget of regional health services providers. It is envisaged that monitoring and guidance by regional drug committees will facilitate more rational prescription and consumption patterns, and that service providers will consider pharmaceuticals within the same framework as other resources. Previously medicinal drugs, funded by the central government, could be considered a free good from the perspective of doctors and hospitals.

Finally, it is to be noted that many relatively privileged occupational groups of state-employees and white-collar workers have negotiated free prescription drugs (and health care) shielding them from adjustments to the payment arrangements. To that extent, increased consumer costs for the purpose of containing consumption and government expenditure are borne primarily by lower income groups.

4 Conclusion

The relative magnitude of public expenditure on pharmaceutical benefits and the general direction of recent policy adjustments are broadly similar in Australia and Sweden. In Sweden pharmaceutical benefits are universal in the sense that the program delivers greatest benefits to those incurring the greatest drug costs, irrespective of financial circumstances. The PBS, on the other hand, is designed to predominantly benefit directly low-income households. However, the distinction between universalism and targeting is not as clear-cut as PBS expenditure data might suggest. The indirect effect of the PBS (not captured by expenditure figures) is to deliver relatively low prices for all medicinal drugs, benefiting consumers generally. Moreover, all consumers pay a relatively small maximum amount per prescription, and are protected by safety net provisions precluding large expenses (in most circumstances). Consequently, the PBS enjoys widespread support and there is little demand in Australia for private insurance schemes within this domain.

By contrast, in Sweden there is a 'private' system complementing general pharmaceutical benefits delivered through collective bargaining, benefiting higher income employees, and many Swedish consumers (including the very poorest) now encounter substantial up-front costs before subsidies and safety-net arrangements come into effect.

Total public expenditure on pharmaceutical benefits has not been rolled back in Australia or Sweden. In both countries expenditure growth is expected to continue for some years, notwithstanding frequent program adjustments to contain cost pressures. How is this relative stability in terms of expenditure to be explained? First, there are taken-for-granted ethical reasons for access to medicinal drugs in case of ill health or injury irrespective of financial resources. Second, the direct and indirect beneficiaries of pharmaceutical benefits encompass the whole population in both countries. Substantial cutbacks are thus politically hazardous for any government and have not as yet been seriously contemplated in Australia or Sweden. Third, pharmaceutical benefit programs - particularly Australia's PBS - are intertwined with other regulatory arrangements and contribute to broader policy objectives (such as the monitoring of drug prescription and consumption patterns).

An emphasis on the entrenched nature of pharmaceutical benefits must be qualified with reference to the alterations that have extended progressively the scope and legitimacy of market forces. Medicinal drugs, until relatively recently, were made available at no or very little cost to the consumer on a needs basis, but consumers for some time have been conditioned to respond to price signals. Shift in the supply of and demand for medicinal drugs are weakening the capacity of governments to maintain comprehensive subsidy arrangements - as evidenced most dramatically by new lifestyle products such as Viagra and various obesity medicines. In summary, increases in the 1990s in levels of expenditure on pharmaceutical benefits conceal a reordering of patterns of interaction of suppliers, state agencies, consumers, and other actors.

A final point to highlight is that the Swedish system of government has proven in this domain to facilitate devolution and policy innovation more effectively than Australia's federal system. Part of the explanation is that (in the main) Swedish health services delivery and funding remain publicly organised. Institutional change and policy experimentation, driven by 'rational' analysis, can thus be introduced with less regard to strong private interest groups (such as private hospitals, insurers or profit-oriented doctors) than is the case in Australia. In combination with a state monopoly in the retail pharmacy sector, this allows for relatively radical policy innovation in response to the challenges flowing from developments in the international pharmaceutical market, as evidenced by the devolution of pharmaceutical benefits to regional governments.

The private-public division within Australia's health sector, and the federal system of government, make an effective integration of pharmaceutical policy with other types of health policy very difficult. Devolution of the administration of pharmaceutical benefits to the Australian States would only recreate a version of present arrangements within each state and generate inefficiencies. The other

side of this coin is that the PBS as a Commonwealth program has proven to be a robust system that delivers advantages beyond social protection. However, the structural features of the PBS are largely frozen and it is likely that in the medium term marginal adjustments will continue along the trajectory of the past decade.

References

Clayton, R. and J. Pontusson (1998), 'Welfare-state retrenchment revisited: entitlement cuts, public sector restructuring, and inegalitarian trends in advanced capitalist societies', World Politics, 51, 67-98.

Clear, P. (1999), The PBS and its Future in the Healthcare Revolution, Address presented at the Health Congress '99, Sydney, 24 February.

Crouch, C. and W. Streeck (1997), 'Introduction: the future of capitalist diversity', in C. Crouch and W. Streeck, eds., Political Economy of Modern Capitalism: Mapping Convergence and Diversity, Sage, London, 1-18.

Department of Health and Aged Care (1998), Annual Report 1997-98, AGPS, Canberra.

Department of Health and Aged Care (1999), http://www.health.gov.au/haf/branch/pbb/phbensch.htm

Department of Industry, Science and Tourism (1998), Pharmaceutical Industry Investment Program (PIIP): Program Guidelines, April 1998.

Esping-Andersen, G. (1996), 'After the Golden Age?: welfare state dilemmas in a global economy', in G. Esping-Andersen, Welfare States in Transition: National Adaptations in Global Economies, Sage, London, 1-31.

Hickman, B. (1999), 'The price of potency', The Australian, 14 July, 14.

Hunter, T. (1963), 'Some thoughts on the Pharmaceutical Benefits Scheme', Australian Journal of Social Issues, 1(4), 32-40.

Katzenstein, J. (1985), Small States in World Markets: Industrial Policy in Europe, Cornell University Press, Ithaca.

Latham, M. (1998), Civilising Global Capital, Allen and Unwin, Sydney.

Löfgren, H. (1996), 'State supremacy in decline: the pharmaceutical industry and the Australian government', Journal of Industry Studies, 3(1), 87-103.

Löfgren, H. (1997), 'Industry policy to set the market free: drug pricing and the Factor (f) program', Labour and Industry, 8(2), 67-84.

Löfgren, H. (1998), 'The Pharmaceutical Benefits Scheme and the shifting paradigm of welfare policy', Australian Health Review, 21(2), 111-23.

Macintyre, C. (1999), 'From entitlement to obligation in the Australian welfare state', Australian Journal of Social Issues, 34(2), 103-18.

Olsson, S.E. (1993), Social Policy and Welfare State in Sweden, Arkiv förlag, Lund.

Pierson, P. (1996), 'The new politics of the welfare state', World Politics, 48(1), 143-79 .

Regeringens proposition (1998/99: 106), *Vissa ändringar i läkemedelsförmånen m.m.* http://social.regeringen.se/propositionermm/propositioner/pdf/p9899_106.pdf

Rieger, E. and S. Leibfried (1998), 'Welfare limits to globalization', *Politics and Society*, 26(3), 363-90.

Riksförsäkringsverket (1999), *Socialförsäkringsboken 1999*, Stockholm.

Schweitzer, S.O. (1997), *Pharmaceutical Economics and Policy*, Oxford University Press, New York.

Socialdepartement (1999), 'Översyn av läkemedelsförmånen', Media release 3 June.

SOU (1998:28), *Läkemedel i vård och handel - Om en säker, flexibel och samordnad läkemedelsförsörjning: betänkande av Läkemedelsdistributionsutredningen*, Stockholm.

SOU (1998:50), *De 39 stegen - Läkemedelsutredningar under 1900-talet och annat underlagsmaterial till läkemedel i vård och handel: Betänkande av Läkemedelsdistributionsutredningen*, Stockholm.

Working and Caring: Women's Well-being and Financial Security

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1   Introduction

In this paper we take up the conference themes of justice and responsibility through an examination of the impact upon women of a range of critical policies. These policies are of greater relevance at some points in women's lives than at other times but their impact is cumulative and, for want of a better term, interactive or compounding. Our interest is in women as workers, carers and as older citizens. In the writing of this paper we are drawing on two major pieces of research. The first builds on work we have undertaken in which we have examined the experience of women caring for elderly relatives. In this research, we studied the experience of working carers, those women in paid employment who also carry a major responsibility of care for an aged relative or relatives. The second piece of research is an analysis of the likely impact of the array of care benefits on women's relationship to paid employment. This study forms the Australian contribution to a larger OECD study.

The policy concerns that are canvassed in these two pieces of research are complex and contentious. Conceptually they constitute a morass. There are three major players or areas in this large and vital policy field:

- family and family life,
- the workplace and labour market activity, and
- government and the issues of state responsibility.

These interdependent arenas of social life have been conceptualised separately which has resulted in 'a segmented, fractured discussion' of such areas as caring (Baines, Evans and Neysmith, 1991: 273). Since careful and clear conceptualisation is essential for good discussion, and lively and informed debate is important in the development of good policy, this lack should be of particular concern. It has permitted the development of policies in these linked domains which are mismatched, disjointed and at times contradictory. It has also allowed us to overlook some rather remarkable failures or gaps in our research such as the failure to carefully examine some fundamental assumptions about what actually

happens in families, as Janet Finch has so convincingly argued (1996: 213) or, as we would argue, to overlook some significant issues in the workplace.

We argue, as have other policy analysts, that what is needed is a way of incorporating all three areas - family life, labour market activity and state responsibility - into the analysis and a method of tracing the complex relationships between the three. This is not only an important theoretical task, it is also a significant political activity. As we know, unpaid caring work remains, in policy terms and in the minds of most people, largely a private matter; how dependent individuals are to be cared for is regarded as something the family must resolve. By and large, this is regardless of the nature or degree of dependency and regardless of the likely duration of the care. The expectation, in the main, is that this attempt to find a solution, will mean that the family does the caring. And that means that, in the majority of cases, it will be women undertaking these family caring tasks. Neither the state, employers nor society at large is seen to have any responsibility here. The preferences and the rights of those being 'cared for' rarely, if ever, enter into the equation.

In this paper we hope to make some small contribution to the coalescence of these supposedly disparate arenas, both conceptually and in terms of their policy impacts upon women. Our argument is threefold.

First, policy development in areas of particular, but by no means exclusive interest to women - such as ageing and aged care, child care, carers and community care, retirement incomes, employment and industrial relations and other related policy arenas - has been fragmented and piecemeal, leading to contradictory objectives and outcomes.

Secondly, the assumptions underlying these separate policy developments have failed to take into account either structural inequities, particularly in regard to gender, or varied life experiences and family circumstances.

And finally, there has been little attention given to the impact of social policies over the life course, particularly upon women, and the ways in which these impacts at one point in a woman's life may adversely affect her capacity to take up opportunities in the future, or reduce substantially her capacity to be financially independent in her later years.

Given the wide-ranging nature of the policy developments we are attempting to explore and given time constraints, we have chosen to focus on a specific set of circumstances as a way of illustrating the argument outlined above (i.e., the implications for women of ill-matched and contradictory policies). Our focus is on women who are involved in the paid work force while at the same time carrying a major responsibility for the care of dependent family members. In outlining this case study, we consider first the assumptions that underpin the

relevant policies and their gendered nature, then the issue of costs and disincentives to women and lastly, the changes needed in both community service provision and in the work place.

2   Underlying Assumptions

A case study of working carers requires an examination both of the experience of paid work and the experience of family caring. In that sense it is exploring aspects of the two main tasks and preoccupations of life - 'the necessity to survive via some form of productive activity, whether it be hunting, gathering or working for wages; and the necessity to be social, to care for, and to be cared for by, others' (Edgar, 1995: 276). These necessities underpin all forms of social organisation. The centrality of caring both as a preoccupation - the emotional component - and as a task - the practice component - is emphasised again and again in the caring and policy literature. As Don Edgar has stated:

> Our starting point has to be that caring is not just a burden or
> a problem, or a cost to private time and public revenue.
> Rather, it is central to the human condition and rests upon our
> essential inter-dependency and the inevitable caring about
> other people that arises from our close relationships with
> them (Edgar, 1995: 276-7).

Both these activities, paid work and caring, are imbued with gender expectations and implications. Caring has long been recognised as gendered. Indeed, the gendering of care has been conceptualised as a heavily over-determined phenomenon (Morgan, 1996: 110). Paid work is gendered too. Perhaps, in a conceptual sense, it may be considered to be over-determined as well? In any event, the assumptions which we are examining here are permeated with gender expectations. It is interesting to make a quick sortie into the minefield that constitutes the array of gendered assumptions around the related areas of paid work, workplace environments and culture, family responsibilities and the care of dependent family members. We list a few of the more telling examples, assumptions which remain, for the most part, unquestioned.

- The assumption that there will be ample numbers of carers to undertake the needed caring tasks in the future and that where family members may exist and be resident nearby, that such family members will be willing and able to undertake that care.

- The assumption that family relationships in the past are of a quality that might form a basis for ongoing commitment to one another, i.e., for caring; there is a disregard for the impact of past abuse, violence and neglect.

- The assumption that family care is better than other sorts of care and that it is the best care solution in the majority of cases.

- The assumption that those who are in need of care will want to have that care provided primarily by family members especially if it involves more intimate personal care; that they are privileged in being cared for by their family.

- The assumption that women have more and wider ranging family obligations than men.

- The assumption that paid work is and will continue to be of less importance to women than to men both financially and personally and that stepping out of paid employment for shorter or longer periods, or reducing the number of hours of paid work so as to meet caring obligations is, and will continue to be, both possible and acceptable.

- The assumption that many, if not most, women prefer to work part time when their children are of pre-school or primary school age, regardless of whether or not they have access to good quality and affordable child care, including after-school care.

- The assumption that many, if not most, women prefer to work part time if they have a major responsibility for the care of an elderly relative, regardless of whether or not they have access to good support services.

- The assumption that having one good superannuation package in the family is ample for a secure retirement for the couple and that couples will stay together and share that retirement income.

- The assumption that the worker who has more family obligations is, by dint of this, not able to be as good or serious an employee as the worker who does not have these larger responsibilities: that the serious or model worker is one who is not encumbered with any major responsibility for what goes on in the home, nor is required to develop detailed knowledge about or concern for what transpires in the domestic sphere of their lives or to sustain an equal concern about those things which are of critical consequence to others in their immediate family.

- The assumption that the claims of family and worries about family members (and one might add, friends) can and should be kept separate from the world of work and should not intrude upon the work environment.

- The assumption that the skills that are often labelled 'people skills' are of lesser importance in the work environment, especially for those in

management positions, than those qualities generally labelled as toughness, a capacity to distance oneself from others as distinct from the capacity to be empathetic: that emotional work is of minor importance in work environments compared with the home environment.

• The assumption that those who work and care have less need of community services than those who are seen to be caring 'full time' or that working carers are in a position to pay for services.

There are good reasons for exploring these assumptions and for questioning their veracity or, at least, the likelihood that they will continue to be useful assumptions on which to base social policies or workplace policies and practice.

This questioning brings us back to the conference theme of justice and responsibility and to Don Edgar's argument regarding the two main tasks and preoccupations of life, productive activity and caring. Indeed, as Edgar emphasises, the centrality of caring to the human condition, caring rests 'upon our essential inter-dependency and the inevitable caring about other people that arises from our close relationships with them' (Edgar, 1995: 276-7). How do we develop fair and just policies which recognise, but which, at the same time, do not seriously financially and socially disadvantage those who undertake those tasks, in the short term and into their own retirement and old age? Caring policies are premised upon the assumption that the family will take on the major part of the caring for vulnerable and dependent family members and that, in the majority of cases, they will be willing and able to drop out of paid work to undertake full-time care, if that is required. What constitutes justice for those who take on this responsibility especially in a policy environment in which provision of sound retirement income is premised on the assumption of continuous employment?

3   Justice and Responsibility in the Area of Caring

In this final section of our paper, we want to examine a number of arguments that developed out of our research on working carers and which are particularly pertinent to these questions concerning justice and responsibility in the area of caring.

The first concerns the impact on women's employment and superannuation cover of their caring responsibilities. It is clear that when a worker interrupts her employment in paid work to take on family caring responsibilities, this will impact substantially on her capacity to sustain superannuation payments. If the interruption is to undertake the care of children and the worker returns to the work force sufficiently early in her career to build up entitlements before retirement age, then the impact may be less severe. If the worker returns to work

at a later age or begins to take out superannuation cover at a later age, the actual amounts that need to be set aside for 'super' payments may become quite onerous and are often difficult to sustain, especially if the worker is the sole income provider for the family.

In our research, however, in which we were examining elder care, we discovered another problem which often besets the working carer. The women in our study

> had sought adjustments in their working lives and had made decisions about promotion and the pursuit of further education or training which have had and will have palpable negative effects upon their financial independence. They had made decisions to delay training or further education to upgrade qualifications, they had turned down or not sought promotion, or taken up the opportunity for new or different work because of the demands of unpaid caring work. In this sense ... they have given up a claim upon a higher degree of independence and security both in the immediate future and, perhaps more importantly, in the long term, into their retirement and old age. (Watson and Mears, 1999: 172)

Most people would consider these women to have retained their financial independence because they have remained in paid employment. What we argue is that they have forgone 'degrees of independence', they have had to accept a lesser degree of independence (immediate and longer term) than if they not had major caring responsibilities. Independence and dependency are complex notions, but as Diane Gibson (1998) argues in relation to aged care, the 'concept of independence is, for many of us, inextricably bound to ideas of quality of life, of choice and control', and while we might not want to pursue the goal of independence unequivocally, it 'remains, nonetheless, a useful yardstick by which to measure progress ...' (Gibson, 1998: 218), both in aged care and in relation to policies on carers and caring.

What we argue here should not be seen as denying the importance of unpaid caring work, nor of overlooking what may well be satisfactions associated with being able to care, but it is to pose questions about the disadvantages suffered by those who take what we generally regard as responsible decisions about their family commitments. It also raises questions about policies affecting carers and caring that continue to be premised upon the expectation that giving up paid work to care full time is a choice freely made, and indeed, that this action can somehow be separated from any consideration of what may happen to the carer both in the short term and in later life.

We might add at this juncture that while we have not, in this particular case study, examined the issue of the preferences and rights of those being cared for.

It is clear in our research, as in other research on carers and in the disability literature, that it cannot be assumed that one person in a family who may have a disability or be frail and elderly, will want other family members to undertake their care - especially not in circumstances whereby the person providing that care may jeopardise their own security and well-being. It is also clear that the provision of some ongoing care and/or close emotional involvement by the family must not be confused with the assumption that all care, or almost all care, will be or should be family care. Or that other supports such as community services will come in and offer a little assistance now and then, with the person being cared for having little say in how and when that might happen. Policies that increase the levels of dependency of both the carer and person being cared for, and which offer little discretion and choice for both, do seem to fall 'short of the mark'. We can do better than this.

To care, in our society, is to be financially disadvantaged and often carers experience other disadvantages as well, such as restricted freedom and social isolation. Further, it is clear that these disadvantages are either the direct result of, or are exacerbated by, other policies. We have mentioned superannuation and retirement income provision but we need also to emphasise the weakened funding provisions for community services and, as a result, their reduced capacity to provide respite and other services to carers or, in the case of working carers, to provide any services at all.

A second and related argument concerns the continuing high degree of sex segmentation within the Australian work force, both horizontal and vertical, and women's lesser earning capacity which flows from this segregation. Women's limited capacity to attract high salaries is closely linked with the assumption that they are less committed workers because they have family responsibilities, an assumption which is not applied to men. The implications for women's financial security is, again, quite direct and both immediate and continuing, leaving women more vulnerable in their retirement and old age. Older women have always been more likely to be financially disadvantaged than their male counterparts or male partners. Given the increased significance of superannuation and the lesser importance of the aged pension both men and women, who have had interrupted employment, will have less secure futures.

To be defined as a less serious or less committed worker, means you will not receive the same attention from management as a worker who, by reason of his negligible family responsibilities, *is* defined as a committed or model employee. Quite often it means that you are not noticed at all. So, again, your chances of being considered a serious contender for promotion or for traineeships and other training opportunities are considerably diminished and consequently, your present salary and your future superannuation payments are likely to be less adequate.

A woman with responsibilities for care of an elderly relative may herself decide to limit the level of work-related responsibilities she takes on. This is different matter from the situation whereby one's employer automatically assumes that family responsibilities imply that, as a worker, the woman could not be considered to be as committed as someone who does not have such responsibilities. Nevertheless, both responses are related and both have similar consequences. The assumption that one is a choice freely made by an individual woman, that the sacrifices made are part of what life 'turns up', while the other is discrimination by an employer, is to ignore the gendered nature of both care and paid work and to fail to understand the constraints upon choices and the shaping of expectations that this gendering implies.

What do we do about it?

4   The Need for Good Policy Debate

One pressing need is for more honest and informed debate about caring policies and aged care provision. If there is to be good policy debate in these crucial areas much needs to change but we would stress two significant requirements:

- a need to bring together, in policy analysis, the three arenas of policy to which we referred at the beginning of the paper, and

- a thorough questioning of the underlying assumptions on which policies in this area have been constructed; which we outlined earlier.

Policy debate and policy development must move beyond the assumption that caring is solely and primarily a family responsibility, and that family carers will be available and willing to care. It is clear that in the future, there will not be enough family carers or unpaid carers available given the ageing of the population and the likely demand for care. If, in addition, we believe that all those who are in need of care deserve to have access to high quality care and choices about that care, we need to plan now. Our argument is that family care is not a family problem. Without wanting to labour the point, this is one of those policy areas which will have quite personal consequences for some of us, as workers and/or, in the future, as an elderly person who may become frail or demented.

We already know that care for the aged is becoming an increasingly significant area of family responsibility for many workers. The fact that the number and proportion of the frail elderly will continue to increase has implications for those with relatives in this category. Many of these potential carers will still be in the paid work force and will want to continue to work. Indeed, their own future security depends on it. There must be an acknowledgment that the demographic

trends do in fact mean that there is an increasing possibility that those in the work force will find themselves with responsibility for providing some level of care for an elderly relative or friend for a period of time during their working lives.

Let us conclude by pointing to the two areas in which change will make the greatest difference to working carers - the work place itself, and community services and other support services. Here we return to our own research and the changes that the participants themselves suggested.

Community Services

In the case of community services, the changes that working carers have called for are not so very different from the requests of all carers, for example, increased provision of respite care, both day care and longer term respite, which is of high quality, accessible, affordable and flexible.

All carers should have access to a range of support services to assist them in meeting their care responsibilities and to enable them to participate in the community. Resources to assist carers must be allocated to ensure flexible and consistent service support and to provide a balance between responsibilities for caring, and participation in community life.

Changing the Organisational Culture of Work Places

A fundamental premise of this paper is that employment policies are the primary site where change must occur. The changes which carers call for are ones which will be of benefit to all workers whether or not they have major caring responsibilities. We suspect there are few who would argue that there is no need for major changes in the work place culture of the average Australian business, organisation, department or agency, although there will be argument about how realistic it is to expect it. The changes that we would emphasise are ones which, as can be demonstrated, do not lessen efficiency, productivity or profit. They may well enhance them. The most general and major change would be the recognition, acknowledgment of and respect for, the family responsibilities of employees. This would result in workplace policies and practices and organisational cultures that confer legitimacy upon the felt obligation and responsibility to care for older relatives which many workers have and many more may have in the future. Workplace environments need to become more attuned to the family and caring responsibilities of all workers, both men and women, so that these ties and tasks cease to be regarded as a nuisance or a burden for employers but simply indicative of a well rounded and useful employee and, one might add, a well rounded, useful and satisfying life.

Alongside this recognition of care giving in workplace policies and practices, there must also be developed methods of cataloguing, and taking into account in job descriptions, the skills and personal qualities that caring work entails. These are not just the important nurturing skills and capacities for patience, selflessness and altruism that we tend to associate with caring. There are, as well, skills in time management and skills in dealing with people in difficult and often distressing circumstances. Failure to acknowledge this experience and the development of what are often called 'people skills' and failure to give real status to them in the work place, means we miss out on applying those skills in any particular instance and demonstrate how little value we place on certain kinds of skills and knowledge.

This recognition of the importance and legitimacy of caring for family members, and a recognition of the skills learned in caring, should also lead to a redefining of the ideal employee, so that such definitions do not exclude full-time employees who, temporarily or intermittently, may have to give the care of an older relative priority over paid work. Rather, such people should be given credit for having acquired, at no cost to the employer, urgently needed people skills. These are currently taught at great expense to senior managers in work time.

Thus the kinds of work place changes that are needed include:

- recognition of the legitimacy and importance of elder care;

- the transformation of organisational cultures;

- the redefinition of what an ideal worker 'looks like'; and

- a valuing of the skills and knowledge that caring entails and the relevance of these to the world of paid work.

Such changes will create work environments that are better and happier places to work for everyone.

5   Conclusion

Providing care always involves costs. The question is who will bear those costs? At present, these costs include the uncompensated care that women provide for children and elderly relatives, which imposes heavy long-term costs on them in terms of forgone earnings, reduced superannuation entitlements or dependency on what are likely to be increasingly meagre pensions. The long term economic and social implications of inadequately providing assistance must be urgently considered.

If we fail to make adequate provision for the on-going support of the elderly and their carers, we simply increase the demand on the public purse. In the end the carer as well as the care recipient will require care and such care will normally be provided by government-funded health services and, in the case of the elderly, in nursing homes. This is in no one's best interest.

Support for carers is not 'welfare' but astute and compassionate investment. Why should this area of government expenditure be labelled 'welfare' and the 'plethora of outlays ... made by different tiers of government in Australia which directly or indirectly increase the profitability of private sector firms' be seen as investment (Mitchell, 1995: 12). We need perhaps to view unpaid caring work as an industry and so as a significant site for government investment.

There is a need for the kind of recognition of unpaid caring work which acknowledges it for what it is - an arena of productive work. It not only saves governments money, a great deal of money, but it helps to create the kind of responsible, caring and compassionate community from which all benefit.

References

Baines, C.T., P.M. Evans and S.M. Neysmith, eds (1991), *Women's Caring: Feminist Perspectives on Social Welfare*, McLelland and Stewart, Toronto.

Edgar, D. (1995), 'Sharing the caring: rethinking current policies', in W. Weeks and J. Wilson, *Issues Facing Australian Families. Human Services Respond*, Longman, Melbourne.

Finch, Janet (1996), 'Generations, inheritance and policy relevant research', in H. Jones and J. Millar, eds, *The Politics of the Family*, Avebury, Aldershot.

Gibson, D. (1998), *Aged Care: Old Policies, New Problems*, Cambridge University Press, Cambridge.

Mitchell, W. (1995), 'Business welfare - a legitimate role for government?', *Current Affairs Bulletin*, 71(6), April-May.

Morgan, D.H.J. (1996), *Family Connections. An Introduction to Family Studies*, Polity Press, Cambridge.

Watson, E.A. and J. Mears (1999), *Women, Work and Care of the Elderly*, Ashgate, Aldershot.

Australian Peak Bodies and the Market Policy Culture

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1   Introduction

Peak bodies, or peak organisations have long been part of the Australian community services landscape. These organisations serve a wide variety of roles which include a focus on policy innovation and advocacy, combined with support and advice (legal, industrial, organisational, service delivery, standards monitoring, industry training) for their member organisations.[2]

The Australian Pre-School Association was one of the earliest peak bodies to be funded and recognised by government in 1939 (May, 1996: 252). Since that time the number of peak bodies has grown to represent a wide range of sectorial interests. Most peak bodies have grown in tandem with the community services sector in Australia. The number of community service organisations expanded rapidly during the 1970s with the impetus of the Whitlam government and the emergence of newer social movements and their constituents (Graycar and Jamrozik, 1993; Melville, 1993). By the 1970s approximately 50 national community sector peaks were receiving funding form the Department of Community Services and Health (May, 1996: 252).

One of the major roles of peak bodies has been in the development of policy and its implementation. The state has recognised that there are two main benefits from this arrangement. First, peak bodies can be used to 'test out' policy initiatives and give 'feedback' on policy and program implementation issues (HORSCCA, 1991). Secondly, they provide a united voice for the state when it is trying to deal with a disparate range of constituents (Sawer and Jupp, 1996). The state's

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2   The South Australian Serving Communities Task Force identified four different types of peaks in Australia - these are: the consumer based peaks; the service development peaks; social policy peak councils; and the employer/employee peak (Hamilton and Barwick, 1993).

relationship with peak bodies, especially those funded by it has often been conflictual and controversial. For example, writers, such as Sawer and Jupp (1996) argue that community sector peak bodies have a complex relationship with the state, which is not all 'one sided'. In fact they use the metaphor of the 'two-way-street' to describe the nature of the relationship – one based on mutual inter-dependence and independence. However, Mowbray (1980) is extremely critical of the types of relationships peak bodies have with the state. Leaving aside the issue of resource-dependency for a moment, Considine (1998) argues that community sector peak bodies are not as influential on state policy-making as they would like to claim. Despite these findings both state and community sector documents all applaud the 'policy-making' input of peak bodies in the Australian political context (HORSCCA, 1991; ICCA, 1995; Hamilton and Barwick, 1993).

The policy environment of community sector peak bodies has changed markedly over the past decade due to the influence of both neo-liberal economic and political ideologies (Smyth and Cass, 1999). Australian social and economic policy like many other OECD countries has been heavily influenced by overseas trends to privatise various public and government utilities (Ernst, 1994). In addition, since the 1980s, many state bureaucracies have been subjected to major re-structuring in the wake of 'corporatist and managerialist principles' (Yeatman, 1993). It is hypothesised that the following policy shifts have had an increasing effect on the shape and character of community sector organisations, such as peak bodies.

*   First, there has been an increased trend to introduce competitive tendering, voucher systems and quasi-type market mechanisms into the social welfare system (AIC, 1995).

*   Secondly, there has been pressure on community-funded services to adopt many of the state's own managerialist reforms and reshape their organisations similar to those found in   public sector and business organisations (Yeatman, 1993; Considine, 1996).

There is already anecdotal evidence to suggest that many of the micro-economic reforms, which have been introduced into Australia over the past decade, are changing the relationships service providers have with their clients. And as a result they are also changing the relationship of peak bodies to their member organisations (Raper, 1998; Melville and Nyland, 1997; Melville, 1999a). This has occurred because of the separation of policy from service provision and the introduction of the purchaser/provider split. As a result peak bodies are being increasingly left out of the policy loop.

Another major influence on social and public policy in Australia since the 1980s has come in the shape of an interest in neo-liberal political as well as neo-liberal

classical economic theories, such as public choice theory and principal agent theory. Echoing much of the classic public choice theory popularised by North American writers, such as Buchanan (1978), the Australian Prime Minister has made it clear that he does not intend to become captive of any interest group, and that all groups should be treated the same. Consequently, many disadvantaged groups traditionally represented by nonprofit peak bodies are now finding themselves increasingly being shut out of the policy-making and consultation processes. As a result in this neo-conservative political environment the lobbying and policy advocacy work of many peak bodies has come under closer scrutiny.

2   The Research Project

Phase one involved an extensive review of existing empirical and theoretical literature on Australian, British and North American peak bodies. Despite their importance in policy making there is very little literature on these types of organisations. The results of this on-going literature review are outlined in Melville, Pratt and Taylor (1998) and two forthcoming publications (Melville, 1999a, Melville, forthcoming).

One of the major tasks of the researcher has been to develop a definition of a peak body, which can be empirically tested.[3] This study used the Australian Industry Commission (AIC) (1994) definition of a peak body with several small additions.

The Australian Industry Commission (1994) defined peak bodies as

> ... representative bodies that provide information and dissemination services, membership support, coordination, advocacy and representation, research and policy development to members and other interested parties. This role does not include service delivery (but may involve grant sponsorship and auspicing of other organisations to deliver services. (AIC, 194: 181)

For the purposes of this study the definition also includes the additional tasks of monitoring industry and service delivery standards and training.

Phase two involved a pilot study of a small number of Australian and British and American peak bodies. A questionnaire was developed which is divided into four parts: background information of the peak body; management of membership

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3   The generic definition of a peak body, which has developed out of this research is: A peak body or umbrella organisation is a member serving versus a public serving nonprofit organisation whose membership is comprised mainly of other organisations (Melville, Pratt and Taylor, 1998).

information; financial and management information and finally the current policy and political context of peak bodies. A small non-probability sample of 80 Australian peak bodies and approximately 12 American and British peak bodies was compiled using existing directories and lists compiled during the research. The questionnaire was mailed out in September 1998. At this stage 24 completed questionnaires have been returned from Australian peak bodies, but none from North America or Britain.[4] The low response from the overseas countries appears to have been caused by two problems: finding equivalent types of organisations to Australian peak bodies, and developing a generically useful definition of peak bodies, which overseas respondents could relate to.[5]

Part one of the questionnaire asked fairly specific questions which could be analysed quantitatively using the statistical package SPSS. Part two of the questionnaire asked a wide range of questions about the nature of the funding and policy environment of peaks. The qualitative data has been analysed by themes. This paper provides an overview of the preliminary findings of this study as some of these data are still being analysed.

3   Demographic Data on Peak Bodies

The initial findings provide a 'snap-shot' view of some of the major characteristic about the shape, structure, age, income source and membership constitution, and the primary activities of the peak bodies included in this study. Of the 24 peak bodies in the sample, 13 operated at a national level and 11 were state-based. The sample comprised peaks from the health, family support and children, youth, housing, sub-specialist and generalist sectors (Table 1).

Data were collected from peak bodies about the age of the organisation, the number of members (including other organisations and individuals), the type of membership, the governance of the organisation, and it's legal status. At this stage the age of the peak body, gross income from all sources, total number of members and total number of staff have been analysed. (Some of these data are included in Tables 2-3).

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4   Most peak bodies from Britain and America returned useful secondary data sources, such as Annual Reports and brochures about their organisations, but declined to complete the questionnaire on the grounds that they were not a 'peak body' as defined by the study.

5   Since this time, further research has enabled the author to locate a range of similar and different types of peak bodies which exist in both Britain and North America.

Table 1: Peak Bodies by Sector and Sphere of Operation.

	Family Support and Children	Health- including specialist areas	Youth	Housing	Generalist	Other- e.g. women, education and legal	Total
Federal	4	5	2		1	1	13
State	2	1	2	2	2	2	11
Total	6	6	4	2	3	3	24

As Table 2 shows, 10 peak bodies were established during the 1970s to 1980s, and nine were during the 1990s. Over 90 per cent of the peaks in this sample were established during the last two decades. Surprisingly over 30 per cent were established during the 1990s. One organisation in this sample of peaks was funded in 1996. This in itself is interesting because at least five national secretariats were de-funded in the period 1996/97 following a review by the Minister for Health and Family Services (Fitzgerald, 1997: 3). Since 1996 a whole host of State and Federal Government departments have held reviews of peak bodies (Raper, 1998: 3). This increased scrutiny of peaks led ACOSS to hold a summit of peak bodies to try to help the sector as a whole grapple with the reform processes that are going on.

Table 2: Age of Peak Bodies

Date established	Number	Level of Operation
1900-1915	1	State (1)
1958	1	State (1)
1964	1	Federal (1)
1972-78	6	State (4) Federal (2)
198?-1987	4	Federal (2) State (2)
1990-1993	7	Federal (6) State (1)
1995-1996	2	Federal (1) State (1)
Total	22	

In Table 3 the data suggest there is a fairly even spread of funding amongst State and Federal peak bodies although a closer examination shows the best-funded peaks tend to be those receiving monies from the Federal Government. Funding goes to those from established areas of 'high priority need" or what is seen as a 'new area of need'. However, this seems to be changing as respondents expressed a lot of concern that women, Aboriginal peoples and those from NESB are being forced to mainstream or amalgamate with other services.

Table 3: Total Gross Income all Sources

Income level	Numbers	
No income	1	
$18 000- 50 000	2	(small amount of funding received for one peak body-but not for peak body activities)
$51 000-$65 000	1	
$100 000-$150 000	8	
$175 000-$220 000	3	
$350 000-$500 000	4	
$800,000-$850 000	2	
$1 mil to $1.2 mil	2	
Total	23	

Peak bodies were asked to estimate the percentage of funding, which comes from both government and non-government sources. This has yet to be fully analysed. But preliminary examination shows that only two peaks receive 60 per cent or more of their funding from other sources. Nearly all the respondents commented on the current government policy push (both at State and Federal levels) for peak bodies (and their member organisations) to try and raise funds from other sources, namely charging fees, fund-raising, entering business partnerships and seeking corporate sponsorship. This is especially so at the federal level of government. The irony is that on the one hand, the pool of money from these 'other sources' is decreasing (especially from the business sector), and on the other hand, there is now an ever-increasing number of 'players' out there all chasing the ellusive dollar. Competition is not only being experienced within and between the community sector (community-based organisations, churches and charities), but also from private research institutes, health centres and hospitals and schools.

With regards to the number (and types) of members of peak bodies, there was a huge variation amongst the sample. The smallest three peak bodies had six to eight organisational members and the largest had 12 700 members. Five peaks had 20-40 members, two with 90 members, and three with over 100 members, three with 250 to 400 members and two with 2100 members. They were asked to estimate the percentage of members in a number of membership categories and also some questions about their management structure. As yet these data are not analysed.

In terms of staffing, a similar picture emerges. Twelve peaks had two to four staff (including part-time and casuals), six peaks had five to seven staff and then it grew to 14, 17 and 22 staff members. The median was four staff and the mean was 5.5 staff members. Fifty-seven per cent of the sample had a small staff of two to four people. Seven of the peaks had only one full-time staff member. The mean

was 3.6 full-time staff and the mode was three, with 12 being the largest number of full-time staff employed by any of the peaks. Many of the organisations relied mostly on part-time (over 20 hours per week) part-time (under 20 hours per week) and casual staff. Very few of the peak bodies were able to give a clear picture of the number of volunteers who assist their organisation. One of the two largest peak bodies in the study simply said 'thousands'. Thus no accurate picture exists about the extent of voluntarism amongst peaks in this small sample.

Peak bodies were asked to indicate the range of activities they were involved in from a list provided. This data are included in Table 4. As the data indicate all peaks engage in information dissemination and advocacy and lobbying work. Twenty three peak bodies also engage in coordination, and research and policy development activities while 22 also engage in networking. Over half engage in membership support and in monitoring both industry and service delivery standards. It would be interesting to know how many peaks have taken on these latter roles in the past five years or so, whether in response to government or sector pressure. One of the most common other activities referred to organising conferences.

The organisations in the study were also asked to estimate the amount of time (in percentage terms) they spent undertaking these activities. From preliminary analysis although most of the peaks ticked nearly all the activities, there is considerable difference between the time spent on these tasks. They were also asked if this changed during the year and nearly all of the respondents said that it did. It will be interesting to match these data with the types of issues respondents raised about the changing role and funding environment of peak bodies in the second part of the survey.

Respondents were asked a series of questions about the kinds of inter-peak activity these organisations engage in and whether this has changed over the past five to ten years. Peak bodies were asked how many other 'peaks' they affiliated with and at what level these other peaks operate i.e. local, state, federal and international. Three peaks were affiliated with just one other organisation, three said two, five said three, four said five to six, three said 10-13, two said 20-25, one each said 36, 62 and 70 respectively, and then it jumped to figures like 610 and 2336 organisations. They were asked to complete an inter-peak activity proforma[6] for each of the main organisations with which they were affiliated. This proforma lists the types of activity affiliates are likely to engage in, what resources their organisation contribute to this inter-peak activity, as well as to list what kinds of activities they engage in with their affiliates. The respondents were

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6   This is included as Appendix One to this paper.

Table 4: Range of Activities of Peak Bodies

Activities of Peak Bodies	Number of Peaks Undertaking Activity	Percentage of n=24
Information dissemination	24	100
Membership support (eg management/Other training)	16	66.6
Monitoring industry standards	11	45.8
Monitoring service delivery standards	11	45.8
Coordination	22	91.6
Networking	23	95.8
Advocacy and lobbying (government and other groups)	24	100
Research and Policy Development	22	91.6
Other Activities (please indicate).	9	37.5

then asked to rank the highest three activities they did with these other organisations in priority order. Not surprisingly it appears from preliminary analysis that information sharing, lobbying, networking and joint submissions came fairly high in the priority lists from the data analysed thus far.

In addition they were asked to estimate the percentage of time spent on inter-peak activity as well as whether they had experienced any changes in inter-peak activity over the past five to ten years. Seventeen peaks said there was an increase in inter-peak activity, five said no and three did not answer the question. The main reasons given for this increased activity were a greater need for networking and lobbying on similar issues because of the changes in funding and government philosophy about the community sector. Some saw it as a positive thing, whereas others commented on the additional amount of work this was creating, consuming valuable time and resources. Some peaks were engaging in this activity because they were new organisations and trying to establish themselves. For others it was a question of survival as they saw forced amalgamations and mainstreaming of both peaks and services as one of their main threats.

4   The Role of Peak Bodies

In order to get a picture of how the policy environment may be changing for peaks, a series of questions were asked about their roles and whether these had changed and reasons for this change, if any. Of the 23 peaks who responded to this question, 11 said yes and 12 replied that their role had not changed. Most of those who said yes commented on internal reasons for this change i.e. increase in size, maturity of organisation or increased membership expectations. Several

others mentioned wider societal issues, such as shifts in social behaviours, expansion of information technology, political pressures, reduced funding, forced amalgamations and the fact that they were now 'more tied to government agendas'.

Peaks were asked to identify the main pressures on them from government. These included the pressure to 'do more with less', not to be critical, to provide policy advice often on short notice, to work in a reduced and insecure funding environment. Others mentioned a number of problems within the state bureaucracy itself, which created a lot of tension between funded services and government. These included 'indecision and poor planning from government, confusion, reaction to public criticism and inconsistency over the consultation process'. This is hardly surprising given the amazing number of State and Federal Government departments which have been restructured over the past decade with loss of large numbers of qualified and experienced staff through forced retrenchments and funding cutbacks. The flow-on of this to the sector has been largely unaccounted for by the state and bureaucracies alike. There were a lot of comments about the impact of changes to funding regime and the problems this was causing both peaks and their member organisations. Several mentioned the requirement to give policy advice but 'to advise without lobbying, to be active but invisible'. This included pressure for some peaks to speak with one voice. Other issues mentioned were the competitive tendering environment, the need to respond to massive reform in the area within very short-time frames, reduced funding to meet increased needs, expectation that the peaks workload could increase with the same resources.

Respondents were also asked to nominate the main pressures they experienced from other sources. Most of the respondents said the main pressures were coming from their own membership with increased expectations for the peaks to provide information, training and lobbying for much needed resources. Several also mentioned the increased demand of clients who used their member organisation services. Charities and churches were seen by some as a main threat, as well as for-profit organisations moving into the sector.

Respondents were asked what they thought was the government's perception of their main role. They listed the following activities: to be a peak body, to lobby and advocate for our members, to disseminate and share information to provide policy advice on program implementation, to provide a coordinating role for government, to be a consultation mechanism for government, and to provide government with national data. They also mentioned support to their members such as training, information and co-work on policy and planning. One peak operating in a very volatile and unpopular area said their role was 'to be the government's main critic'. Apart from information and training there was a

perception that peaks were expected to provide accountability for the sector, 'almost keep the troops in order'. New concepts of 'community partnerships' may help restore the balance to this relationship. Their funding bodies have been quite hostile if they disagree with new pilots, and insist instead on decent funding for existing services. Another respondent also commented on the increased use of threats, intimidation and violence on the part of bureaucrats.

When asked if they agreed with the government's assessment of their role, 15 peaks said yes they did, four said no and two said yes/no or maybe. The peaks were also asked their views about whether the government's perception of their role had changed over the past five to ten years. Of those who responded to this question, 14 peaks replied, no, there was no change and only seven thought there had been a change in perception of their role. From those who responded, the reasons given included greater expectations on the part of government and pressure to be more compliant and accepting of government agendas and priorities. Several commented that peaks are being seen as a much closer 'arm of government' than previously. This was demonstrated in the following comment: 'perceptions are still the same, but how they expect it to be implemented has changed. We are their captives'. One peak body saw their organisation as becoming increasingly 'downgraded and illegitimate in the eyes of government'.

5   The Funding and Policy Environment

Respondents were asked a series of questions about the current funding and policy environment for both community sector organisations and peak organisations. They were then asked to provide some information about how these changes were impacting on them. It is not possible to report on all the issues arising from this rich qualitative data and so I have chosen to focus on several of the main questions.

The respondents were asked whether there were any major impediments to being able to carry out their organisations mission statement. Fifteen peaks said there were major impediments and seven said no to this question. Of those who responded positively, the biggest problem they identified was lack of adequate funding, which resulted in low staffing levels, restricted working hours and increased client loads. Government was not committed to funding and big business was not interested in 'political' charity work. Several others once again commented on the enormous incompetence of the bureaucracy in dealing with current funding issues and policy directions. One peak expressed it this way: heaps of "pretend consultations" then chop and change in plans, none ever implemented, blatant lying and dishonesty, low levels of corruption in government'. Another said: 'changed political agendas, confusion in government, decline in morale in community sector/industry'.

A number of questions asked respondents to comment on the funding and policy environment and asked where their organisation fitted into this picture. The responses to these questions were incredibly detailed. I will try to summarise some of the major issues that arose. The respondents all commented on the shortage of funds and the push to find alternate sources of funding through fees, fund-raising or seeking corporate sponsorship. They saw the funding environment as extremely tight, diminishing, grim, limited and hostile. There was increased pressure to be self-funded and for organisations to compete for tenders. Some of the outcomes of this for peaks and their member organisations included the possibility of forced amalgamations, difficulties in complying with outcome/output based measures, increased demands for services, a reduction in democracy and emphasis on equity and access issues. Some peaks mentioned that there was also a reduced role for peak bodies as governments started to by-pass them more and more because of the purchaser/divider split and the introduction of competitive tendering. This meant that there was increased pressure on peaks to prove their continued usefulness to their own membership as well as to government.

Peak bodies had very little faith left in the rhetoric bandied around about 'partnerships' with government. Expectations of greater recognition for the work done by the voluntary sector has given way to increased cynicism, distrust and despair that there is any realistic ability to achieve a more balanced relationship given the way government has behaved towards the sector over the past decade. The massive amount of community sector restructuring that has occurred, and the often 'bloody' or 'incompetent' way it has been handled over the past few years has created an ever-increasing divide between both the public and voluntary sectors. Compounding this is the introduction of competitive tendering and contracting out of an ever-increasing number of services.

As the introduction of competitive tendering and contracting is a major concern for the sector as a whole, I now turn to focus on this issue. When asked if the shift to more market-type funding arrangements had impacted on their organisation, 23 peaks responded to this question. Fourteen of peaks said yes, eight said no, one said 'no but it's coming'. The different response rate to this question probably indicates the uneven development in these new arrangements across both State and Federal Government and funding program areas. But for those already feeling its impact the responses indicated a range of issues. All fourteen peaks reported an increase in lobbying and networking. Several mentioned that quality was being compromised in favour of quantity. There was increased competition, greater anxiety amongst members, fears of forced amalgamations of both peaks and community sector organisations. Marginalised groups, such as women, Aboriginals and people from NESB were seen as the biggest losers. And the winners were seen as the larger charities and churches. For those already involved

in tendering, there were concerns about the need for training, the peak body getting 'dragged into making decisions about who should get the tender' and the constant chasing after sufficient tenders to allow organisations to continue to exist. Several peaks summarise the major issues in the following ways:

Increased competition between agencies within the Association i.e. reduced cohesion, increased antagonisms between government and non-government sectors. Created confusion as all parties try and grapple with the contracting/funding rules.

While our members have not had it imposed on them as yet we feel it is only a matter of time. We expect this to be a disaster for us. Quality will be compromised for quantity. Gender services will be lost. We have already started lobbying about this. Forced amalgamations may result. Our services will be radically restructured. We have already started lobbying about this. Threatens the existence of indigenous and ethnic specific services.

Decreased funding from other sources, panic amongst our membership, information sharing and networking under attack, big organisations and churches walking all over us, increased competition, increased exclusion, takeovers and forced amalgamations.

One of the other major concerns was the increased use of legalistic funding contracts with a whole host of additional accounting and reporting requirements. This findings is similar to the 'Contracting for Care Study' conducted in 1996 (Lyons, 1996).

When asked what the main implications of these changes were for peak bodies at least half of the respondents said they did not know: it was so hard to predict the future as things were so uncertain. Several mentioned that their organisations were under considerable threat from both government and their own membership. A number felt they were becoming increasingly irrelevant unless they were prepared to play the role of mediator and not initiator of policy. Some saw the situation a little more optimistically and saw the future as one in which they will have to work a lot harder and lobby a lot more. These sentiments were captured in these two comments: 'we have to speak louder, speak more clearly, husband resources, and plan for an uncertain future' and 'to be a united force !.'

6   Conclusion

This study provides a snapshot view of some of the major organisational and functional characteristics of peak bodies. In the Australian context, peak bodies in the community services sector have long played an important role in policy

making and advocacy, as well as information sharing, networking, coordination and research. Both the state and the sector had come to see that these types of organisations played a useful role for both parties. In more recent times because of policy changes and especially because of fundamental changes to the funding arrangements of government, these bodies are now under serious threat. Expectations of peak bodies are increasing from both their own membership and government, which they are finding it harder to meet. This has implications for their roles in the future policy arena in Australia.

Apart from chronic shortages in funding and insecurity around the issue of funding, one of the dominant pictures that emerged in this study is of a sector undergoing huge structural change, which was being forced on the sector in a haphazard and uneven manner. Many of these changes are being forced through the sector in very short time-frame and without adequate expertise and consultation. There is considerable confusion in many parts of the sector which is trying to grapple with these changes and at the same time continue to provide quality services to members of the community. Another aspect of this change is the 'perceived increase' in the incompetence of the bureaucracy both to give clear directions and to handle this change adequately. It is certain that the amount of change that the community sector has had to endure over the past five to ten years has never been seen on this scale in this country before this time. One has to seriously question whether any other industry undergoing such large-scale change would not have been adequately compensated and had appropriate policies set in place to assist with the structural re-adjustment going on. One only has to look at the farming sector to see another example of the amount of restructuring that has gone on. It is well past the time that the government at all levels took a closer look at the outcomes of their policies and real remedial action was taken to assist the industry deal with all the above issues.

Appendix One: Characteristics of Inter-peak Body Activities

i)   Name of affiliated organisation:

ii)   Type of affiliation
      Paid member
      Unpaid member of management board
      Honary member
      Other – please state ...

iii) Level of operation
      Local
      Regional
      State
      National
      International

iv)   What activities does it engage in
      Lobbying
      Monitoring industry standards
      Training
      Joint submissions
      Other – please state ...

v)   What resources does your organisation contribute to these other organisations
      Staff time and expertise
      Membership fees
      Levies for joint activities
      Other – please specify...
      Other –
      Other –

vi)   What activities do you engage in with these other organisations
      Lobbying
      Joint submissions
      Training
      Networking
      Funding and other political campaigns
      Monitoring industry standards
      Sharing information
      Other – please specify
      Other –

vii) Of the activities you engage in with these other organisations (Listed in vi), which 3
      would you consider most important

References

Australian Industry Commission (1995), *Charitable Organisations in Australia*, Report No 45, AGPS, Melbourne.

Buchanan, J. M. (1978), *The Economics of Politics*, Harper, New York.

Considine, M. (1988), Governance at Ground Level: Third Sector Interests and the Problem of 'Voice' and 'Valence', paper presented to Australian and New Zealand Third Sector Research Conference, Deakin University, June.

Considine, Mark (1996), 'Market bureaucracy', in A. Farrer and J. Inglis, eds, *Keeping it Together: State and Civil Society in Australia*, Pluto Press, Sydney.

Ernst, J. (1994), *Whose Utility? The Social Impact of Public Utility Privatisation and Regulation in Britain*, Open University Press, Buckingham.

Fitzgerald, Robert (1997), 'Peak bodies - their critical role', *Impact*, ACOSS, Sydney, August, 3.

Graycar, Adam and Adam Jamrozik (1993), *How Australians Live: Social Policy in Theory and Practice*, Macmillan, South Melbourne.

Hamilton, Carole and Neville Barwick (1993), 'Scaling the peaks', a paper prepared for the South Australian *Serving Communities* Implementation Task Force, Adelaide.

House of Representatives Standing Committee on Community Affairs (HORSCCA) (1991), *'You Have Your Moments' - A Report on the Funding of Peak Health and Community Organisations*, AGPS, Canberra.

May, John (1996), 'The role of peaks in a civil society', in A. Farrer and J. Inglis, eds, *Keeping it Together: State and Civil Society in Australia*, Pluto Press, Sydney, 245-72.

Melville, Roselyn (1993), 'Turbulent Environments: Women's Refuges Collectivity and the State', unpublished doctoral dissertation, University of New South Wales, Sydney.

Melville, R. (1999), 'Nonprofit umbrella organisations in a contracting regime: a comparative review of Australian, British and North American literature and experience', *International Journal of Not-for-Profit Law*, June. (Also available on http:www.icnl.org/journal/vol1ISS4/melville.htm

Melville, R. (forthcoming), 'Australian, British and North American peak bodies and umbrella organisations - policy issues and research agendas', *Journal of Nonprofit and Voluntary Sector Marketing* (forthcoming).

Melville, R. and J. Nyland (1997), 'On the starting blocks of contracting - will NSW take the dive?', *Third Sector Review*, 3, Special Issues, 45-66.

Melville, R., A. Pratt and A. Taylor (1998), *The Future of Community Sector Peak Bodies in Policy Making and Advocacy: A Comparative Study of Australian, British and American Peak Bodies Within a Neo-Liberal and*

Market Framework, Working Paper Series No 45, CACOM, School of Management, UTS, Lindfield.

Mowbray, M. (1980), 'Non-government welfare: state roles of the councils of social service', *Australian and New Zealand Journal of Sociology',* 16, 52-60.

Raper, M. (1998), 'Public funding for public voices', *Impact,* September, 3.

Sawer, Marian and James Jupp (1996), 'The two-way street: government shaping of community-based advocacy', *Australian Journal of Public Administration,* 55(4), 82-99.

Smyth, P. and B. Cass, eds (1998), *Contesting the Australian Way: States, Markets and Civil Society,* Cambridge University Press, South Melbourne.

Yeatman, Anna (1993), The Reform of Public Management: An Overview, Keynote Address to the Royal Institute of Public Administration, Australian National Conference 17-19 November, Sydney.

How Former Carers 'Pick up the Threads' of their Lives

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Carers NSW

1   Introduction

Carers NSW is the major peak body for carers in this State.   Although a community organisation, the bulk of its funding comes from both State and Federal Governments. It is funded, first and foremostly, as an information and referral service for carers across the State through its Carer Resource Centre. However, Carers NSW also performs other roles, such as representing carers to government, developing innovative programs for carers and educating service providers and health professionals about carer issues. It is from our day to day contact with carers, mostly on the telephone, that we hear many stories of extreme stress and hardship. We know that in a large number of cases caring is an extremely demanding role. It can take over the carer's life.

Because we know that caring can be so difficult, this led to the question of what happens to a carer after the person they have been looking after dies. If caring has such a major impact on a carer's life, surely, we thought, this must destroy a carer's chances of ever having a 'normal' life again. We had also heard stories from service providers about carers who were left completely isolated and alone after caring because they had lost all their friends and interests due to the demands of caring. In terms of research, very little had been done about the post-caring period and what happens to carers.

Apart from what we had heard, bereavement theory predicts that the loss of roles is a factor which may complicate grief. Graduate (or former) carers lose not only the person they care for, but often also a highly structured routine and role which has sometimes been the sole focus of their lives. Knowing that support for carers during the period of caring is important and coupled with the stories we had heard, we hypothesised that graduate carers would have difficulty adjusting to life after caring and would need support to do so. Thus, as a result of our day to day contact with carers and our speculations, we decided to apply to the NSW Ageing and Disability Department for a small research grant under their Health Ageing Strategy. We felt that we were ideally placed to conduct research into whether or not graduate carers could return to a normal life when they were no longer a carer.

2   Aims of the Research

The aim of our study was to identify the factors which facilitate or hinder the post-caring adjustment of carers once the person they care for has died. We used the term adjustment to refer to the re-ordering or re-structuring or the 'picking up of the threads' of the carer's life; in other words 'adjustment' is a proxy for 'picking up the threads'. We then used the extent of the carer's ability to fulfil various social roles and to participate in the life of the community as the indicator of their adjustment, that is, participation levels were used as a proxy for adjustment. We then measured participation in terms of the number of their interests and activities.

3   Methodology

An important assumption informing this study was that there is continuity between the pre-caring, caring and post-caring periods. By continuity we mean that we were aware that a person does not become completely different simply because their spouse has died. They have a history and, in a sense, a pattern to their lives which continues after their losses. We know that the past influences the present and that the present influences the future. Therefore, using the same measure, that is, level of activity, we looked at carers' activities before, during and after caring. Do graduate carers, once their spouse has died, return to the same level of activity as they had before they became carers and does the nature of their activity remain the same or change? In this context we naturally recognise that participation is only one aspect of a much more complex process of post-caring adjustment. As mentioned earlier, because we expected the caring experience would have an impact on post-caring adjustment, we explored the period of caring in some detail.

The funding we received enabled only a small and exploratory study. Thus we limited our sample to 50 former spouse carers aged 65 or over and whose spouse had died about a year ago or more. We did not feel that we could make meaningful comparisons between sub-groups of carers in a sample of only 50. The study also had a few other limitations, which we will mention briefly. First there was no control group of non-carers. Thus we are unable to say how graduate carers adjusted in comparison with non-carers. What this meant, in effect, was that we were unable to separate the effects of loss of the caring role from those of loss of the spouse. Indeed, we think that it would be artificial to separate the two, as caring is intrinsically tied up with being a spouse. As a result, what we studied was the *dual* losses of spouse and caring role. Second, we were unable to control for the length of time that had passed since the care recipient had died. This varied from ten months at a minimum to nine years at a maximum. Third, the

study was done retrospectively, with all the limitations associated with recalling past events that this entails. Fourth, our sample was heavily biased towards females due to difficulties recruiting male respondents. These limitations obviously affect the generalisability of the findings, but we believe that the quality and content of the information gathered was very high and certainly illuminated many of the issues common to all graduate carers.

We conducted most of the interviews on the telephone and about a third in the respondents' homes. We would have liked to have done all of them in the person's home, but unfortunately our resources did not permit it. We do not believe that using two different methods of data collection affected the quality of the information. Most respondents were very open with us.

4   Findings

The Impact of Caring

Most of the 50 respondents, 42 of whom were female, had been caring for highly dependent spouses and had been involved in all aspects of caring work. Most had cared for at least two years and although their spouse's dependency level had not necessarily begun at a high level, many carers said that by the end, their spouse had been very dependent on them for assistance. Carers found the period of caring to be, on the whole, a stressful and demanding time. Their comments illustrate this:

'It was a time of uncertainty. It was a worrying time because from one minute to another I didn't know what was happening. You had to be alert 24 hours a day to deal with the changes. The days were endless and it was from day to day. After a long happy marriage you feel devastated, but he became another person.'

'Living hell. I was just constantly doing things for him. Life of my own? Can I just look that up in the dictionary?'

'The last three years I thought I was in a prison. You rushed everywhere because you couldn't leave him. Before that he was terrible. He accused me of having affairs and there was two years of incontinence. You went inside yourself. You capsule yourself.'

Most carers had received assistance from community services, family members and friends and neighbours while caring. Forty-five of the 50 respondents had used community services and most were happy with the amount of service that they had received. For some of the respondents, use of community services had allowed them to maintain their own activities and interests. However, this was by no means the case for all. Assistance from family members was also a major

source of support during caring. Forty-two of the carers had received this form of help. Assistance from families varied between respondents in its nature and intensity, but was generally appreciated for being flexible, responsive and emotionally supportive. Although available to fewer carers, help from friends or neighbours was similarly regarded. Some carers had been reluctant to call on family members and friends and neighbours. In the case of the latter this reluctance was exacerbated if they did not have a close or longstanding relationship. About half the sample had attended a carer support group. These were very highly rated as a source of support by the majority of carers who had attended them. The forms of assistance most highly valued during caring were help from family and community services.

About a third of the spouses had entered a nursing home before they died. We asked carers about the impact of this upon them. All except one or two found it to be a difficult and stressful time. They articulated feelings of guilt, loss and sadness. Caring responsibilities had continued in all cases through regular visits to the nursing home and, in some cases, food preparation and washing. Nursing home placement is a time when supportive interventions could be usefully targeted at carers.

Effect on Participation Levels

Caring responsibilities had a big impact on carers' abilities to maintain their own activities and interests during caring. Table 1 shows the number of carers taking part in various activities before, during and after caring. You can see that there is an obvious dip in the number doing each activity during caring. Apart from an impact on the carer's health and well-being through drops in the number doing exercise, there is also a loss to the community through fewer being able to do voluntary work. The only activity which increases during caring is attendance at carer support groups, for obvious reasons.

You will also see, however, that in the post-caring period activity levels return to about the pre-caring level. For home-based activities, they tend to become higher in the post-caring period than before caring, whilst some other activities remain at caring levels in the post-caring period (e.g. exercise and religious activities). The pattern is fairly clear: the carers were unable to maintain many of their activities and interests during caring due to the demands of looking after their spouses.

Table 1: The Number of Carers Taking Part in Various Activities Before, During and After Caring

	Before caring	During caring	After caring
Activities outside the home:			
sport/exercise	28	18	18
education/courses	6	3	9
outings with friends	25	10	29
voluntary work	18	5	19
religious activities	22	14	14
travel	14	3	13
going to the club	3	2	4
carer support group	-	26	7
[non-carer] support group	3	4	2
family activities	24	19	29
Home-based activities			
handicrafts	14	10	19
gardening	6	5	14
reading	6	4	12
other (e.g. other groups)	22	1633	

Life after Caring and the Factors which Facilitated the Post-caring Adjustment

It is interesting to consider how the respondents themselves defined the phrase 'picking up the threads'. Some of the carers' own definitions of this phrase included:

'Setting new goals; choosing a future path ...'

'Getting on with life when you haven't had a chance.'

'Getting a better outlook on life - a more hopeful outlook. I decided one day to put things behind me. Now I've rejoined the club and I hope to make new friends ...'

'Getting your interests back. Starting back on your life.'

These comments point to a number of common themes. First, there is a focus on the future: looking forwards rather than backwards. Some of the respondents, as you can see, did this quite consciously. Many commented that one day they woke up and realised that they could not continue to focus on their grief, as life was passing them by. Second, there is a focus on oneself and one's own needs. No longer are there someone else's needs to which one's own have to be deferred.

Third, there is an element of activity implied: *doing* things. The activities that one does can be either new ones, old ones or a combination of both. Fourth, there is a recognition of ability. Each person has a different ability to participate in activities according to their health, interests and circumstances. What emerges very strongly is a sense of moving forward. The carers said that they gradually came to realise that life goes on and that they would have to take advantage of the opportunities which came their way. Some of the respondents also recognised the opportunity for personal growth in their new circumstances. So although we concentrated in this study on activity levels as a proxy for adjustment, we are aware, as the above comments indicate, that the post-caring adjustment is a much more complex process than simply taking up a few activities.

The factors which we explored about the post-caring period were:

- family support;
- support from friends and neighbours;
- the carer's personality and coping mechanisms;
- faith or religious belief;
- assistance from community services;
- carer support groups;
- grief counselling; and
- other sources.

We found that most of these factors had a dual nature to them; they could either help or hinder the graduate carer depending on the quality of the support provided. In most cases each factor helped carers to adjust to life after caring, but in some cases the support provided was not considered to have been particularly useful. Where such factors were absent, the graduate carer was often disadvantaged by not having that form of support available. Overall, carers with bigger support networks adjusted more easily than those with smaller ones. The various forms of support were complementary rather than subsitutes for each other.

Family Support

The most commonly nominated factor facilitating the post-caring adjustment was family support. Ninety per cent of the respondents said that their adult children had supported them after their bereavement. After their spouse's death families provided:

- someone to express feelings to;
- a shoulder to cry on;
- someone to temporarily 'take over' if the carer was not functioning well;

- someone to encourage and help them to see that there is life ahead of them; as well as
- someone who provided opportunities for social contact.

Any or all of these elements were available to carers. However, although many respondents were happy with the support provided by family members, this was not the case for all. Some of the carers had ambivalent feelings about the support provided by their children. They were simultaneously grateful for what they received while complaining that they did not get enough assistance. Family support did not always meet the expectations of the carers.

Help from Friends

Almost three-quarters of the sample received help from friends and neighbours, although these generally gave both less physical and emotional support than family members. The support available depended on the nature and length of their relationship with the carer. Whilst this form of help was greatly appreciated, it was rarely the most crucial form of support.

Community Services

This is the one form of support which carers receive which usually ceases abruptly upon the death of the care recipient. This is probably why, whilst 90 per cent of carers were using it, only about a third said that it helped them after their spouse had died. Where people said that it had helped them after their spouse had died, this was usually because the service provider had either dropped by to see how the carer was getting along or had telephoned them. Carers appreciated having these service providers to talk to while they were grieving.

Faith/Religious Belief

When carers had maintained their religious beliefs, these often helped them to make sense of their losses. If they had been actively involved in a church, members of the congregation sometimes provided assistance. However it is also worth noting that some carers had lost their faith as a result of their devastating experiences.

Carer Support Groups

A number of carers in the sample continued to attend their local support group after their spouse died. They did this because they had friends in the group or found the emotional support that was provided useful. These carers wanted to

continue using this source of support. Other carers either ceased to attend their support group or had never attended one. Because carers' groups provided support for some carers, we believe that it is important that, if they wish, they should be able to continue to attend these groups. In this way a form of assistance that they had been receiving continues to be available to them.

Health

We did not ask carers specifically about how their health had affected their post-caring adjustment, but it did emerge that graduate carers in poor health were hindered in the number of activities that they were able to pursue after their spouse had died.

Personality/Coping Mechanisms

After family support the carer's personality and coping mechanisms was the second most important factor which helped them in their post-caring adjustment. The carers who had had *an identity of their own*, outside of their marriage and then outside of caring itself, seemed to have fewer problems 'picking up the threads' of their life than those who had been entirely family-centred. In these cases, neither their family nor their caring had been the *sole* focus of their life. These carers recognised the validity of their needs as people in their own right. The carers who nominated their personality as a factor which had helped them demonstrated self-reliance, a focus on the positive rather than the negative aspects of life and, finally, an ability to motivate themselves into activity.

Grief Counselling

Only seven of our respondents had received this. Six of them had found it useful. However, a number of other carers identified this as something they would have liked to have been available to them. We believe that it should be available to all graduate carers who want to use it.

Other Factors

Some of the other factors mentioned included a supportive general practitioner, a bereavement support group, volunteers who visited (e.g. from Legacy), medication and a memorial service held at a hospital. Graduate carer support groups and courses also exist in a few places. Anectodal evidence suggests that they are very helpful to graduate carers, however we were unable to evaluate whether they helped or hindered as so few of our respondents had attended them.

5 Recommendations

In order to ensure that graduate carers are adequately supported both during and after the period of caring, as a result of our findings we made some recommendations. Although the study involved only spouse graduate carers aged 65 or more, the following recommendations can be applied to carers more generally.

- Adequate respite should be provided during the period of caring so that carers can maintain their own interests and links with the community.

- At the time of placing their spouse in residential care, the carer's vulnerability should be recognised and support should be made available to them by community services, Aged Care Assessment Teams and residential care staff.

- Service providers in contact with graduate carers should provide them with counselling or information about counselling options after the care recipient dies.

- Carers NSW should provide newly bereaved carers with information about grief counselling and other appropriate services and with support when necessary.

- Services going into the homes of carers should withdraw slowly by visiting carers once or twice after the death of the care recipient.

- The NSW Ageing and Disability Department should fund graduate carer support groups and courses on a trial basis and that their effect on adjustment after caring be systematically evaluated.

6 Conclusion

Caring does undoubtedly separate and isolate carers from the outside world. It can be very hard work and emotionally draining. Whilst most of the carers we spoke to were devastated by the death of their spouse, they were usually relieved, even though they may have been consumed by guilt that they had not done enough, that their caring was over. The difficulties that most carers experienced in 'picking up the threads' were, on the face of it, not so much related to the loss of the care role as to the loss of the care recipient. However, it is important to recognise that caring is inextricably bound up with love and obligation in marriage and for this reason we feel that it is not possible, and indeed artificial, to quantify separately the impact of the dual loss of the care and the spouse roles.

Our study has shown that there *is* life after caring. How did the carers pick up the threads of their lives? In the aftermath of death many of the carers recognised that there was an opportunity for positive change in their lives. After what, in most cases, was an intense period of grieving, the carers were forced to re-evaluate and restructure their lives. Most people seemed to deal with the practical aspects of this well. However, whilst some carers liked their new circumstances, in which they were able for the first time to focus on their own needs, many told us of the emotional abyss left by the loss of their companion. Families, friends and neighbours were the major providers of support to graduate carers apart from their own coping mechanisms. However, some of the carers said that they would have liked 'outside' help to deal with their situation.

Remote Indigenous Organisations and the Quasi-market: What Price Self-determination?

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1   Introduction

To understand the contemporary situation of indigenous organisations, it is important to appreciate the historical and political developments which have shaped the environment in which they operate. In many respects, community-based indigenous organisations share common ground with other third sector agencies and the difficulties they encounter stem from the same sources: changes in the relationship with government, particularly in relation to funding and accountability, and changes in the relationship with their community of interest. For most community-based agencies, both indigenous and non-indigenous, reconciling these dual sets of expectations involves a tension between top-down and bottom-up accountability which is becoming increasingly hard to manage.

The dynamics of change that have impacted on the wider community sector have been equally significant for indigenous community organisations. But it is necessary to remember that in many important respects the functions that indigenous organisations perform are governed by different expectations, not only from their membership, but from government too. The political role performed at community level by many indigenous organisations, most especially those in remote areas, is unique.

In this context, any analysis of the activities or circumstances of indigenous organisations needs to recognise a number of special characteristics. One of the most important issues to consider is the question of self-determination and what it means in practice. In order to appreciate this fully, it is necessary not only to understand the historical origins of the policy, but also the political and administrative developments which have shaped the dimensions of self-determination for indigenous Australians.

This paper will address the role of indigenous community organisations in relation to the objective of self-determination, with particular emphasis on those

in remote communities. It will consider the historical and political developments which shaped the environment of contemporary indigenous organisations before assessing the efforts of current governments to draw these organisations into a more competitive, 'quasi-market' style activities.

2   Historical Developments

The Whitlam Labor Government was the first to adopt an objective of self-determination in indigenous policy in 1972 (RCIADIC, 1991b: 503). The precise parameters of the concept of self-determination were not given practical definition; however, the Minister gave some context to its intended dimensions in statements such as:

> Our aim is to create for the Aboriginal people a political environment in which they can determine the direction of their own development. This means that within the Australian community, there will be a group of people, Aboriginal and Island people, who will have a good deal more say in the development of policies for and on their behalf ... than is the lot of many people in the community. (Bryant, 1973: 904)

The creation of incorporated indigenous organisations at community level was a key plank of the policy and was to be encouraged, as Prime Minister Whitlam explained, by

> legislation to enable Aboriginal groups and communities to incorporate for purposes chosen by their Aboriginal members, determining their own decision-making processes, choosing their own leaders and executives in ways which they will themselves decide, as the primary instruments of Aboriginal authority at the local and community level. (Whitlam, 1973: 697)

This legislative mechanism was eventually introduced by the Coalition Government under Fraser following the abrupt dismissal of the Labor Government in 1975. The *Aboriginal Councils and Associations Act 1976* provided for the incorporation of Aboriginal and Torres Strait Islander community councils, enterprises and associations and by 1996 some 2654 were registered (Mantziaris 1997a: 10, 11). The significance of incorporation is indicated by the fact that at least that number again have incorporated under other laws, including state legislation (AIATSIS, 1996: 12). The expectation has been that incorporation provides a legal foundation for the empowerment of indigenous community groups in ways that allow the recognition of cultural

difference and promote community development. Indigenous organisations, funded by a complex range of State and Commonwealth agencies, provide the services and administer the programs which shape the lives of indigenous people.

In a 1996 review of the *Aboriginal Councils and Associations Act* it was remarked:

> Corporations are therefore playing a very different role in indigenous communities to the role which they play in the mainstream community. They have a much greater bearing on indigenous people's lives than they do in the general community. This is particularly so in small communities where people's only access to basic amenities such as housing, sewerage and water might be through a service corporation. The central role which corporations play in many indigenous communities is directly related to the fact that they are indigenous communities. The relationship between corporations, community development and funding is integral within indigenous communities. This relationship is a direct product of Liberal and Labor Government policies at a Commonwealth level from the 1970s onwards and the colonial history of communities. (AIATSIS, 1996: 22)

The importance of indigenous community organisations is compounded by a demonstrable failure of mainstream agencies to provide equitable and appropriate access to services for indigenous peoples. A 1993 report by the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs argued that one of major barriers to indigenous use of mainstream services was that 'services do not cater for the differing needs and circumstances of Aboriginal and Torres Strait Islander peoples' (HRSCATSIA, 1993: xv).

Indigenous community organisations operate in a very difficult environment. The Royal Commission into Aboriginal Deaths in Custody (RCIADIC), whilst emphasising the importance of Aboriginal organisations in achieving the empowerment of indigenous people (RCIADIC, 1991a: 23) criticised the 'multiplicity of government agencies, Federal, State and local' which community organisations are required to deal and which diminish their capacity to achieve self-determination (RCIADIC, 1991b: 538-9). The problems are compounded by the complexity of shared (and sometimes contested) governmental responsibility for Aboriginal programs which has developed since the 1967 referendum on the 'race power' (Robbins, 1993; Robbins and Summers, 1996 and 1997).

3   Remote Indigenous Community Organisations

While these issues affect all indigenous organisations, those organisations which are located in very remote and traditional communities face particular pressures. A disproportionately high number of indigenous people live in remote communities (ATSIC, 1997: 10). Many of these communities are *extremely* remote, with no guarantee of all year access. Access is often by difficult dirt roads which are closed in the wet for weeks or months. In these circumstances food, mail and service personnel rely on air charters, an expensive alternative. Increasingly, over the last decade, groups of people have chosen to leave the main Aboriginal settlements in central and northern Australia and have moved to out stations – small communities which essentially operate as satellite bodies of the larger communities. These groups may be completely isolated for significant periods of time.

Remote Aboriginal communities are completely unlike other Australian communities. They are likely to be amongst the poorest and least well resourced in the country and they tend to be 'highly localised in their social and political organisation' (AIATSIS, 1996: 26). Not only are levels of literacy low, but English is frequently spoken as a second, third or fourth language. There is still, as Rowse has argued, an Aboriginal 'domain' where the cultural imperative is not that of mainstream Australia, but that of the local people (Rowse, 1992). The significance of this should not be under-rated. Not only is the language different, but so are the cultural values which determine proper social interaction and distribution of resources. This can lead to an uncomfortable interface between the expectations of the local community and those of mainstream government agencies and funding bodies (Lea and Wolfe, 1993; Wolfe, 1993).

The task of community organisations in such a context is to bridge the gap. They must manage the relationship between the community and the external bodies in a way which satisfies both sets of cultural principles and the priorities which are derived from them.. To satisfy community expectations, resources must not only be successfully secured from external sources, but they should be available for use on the community's own terms. Funding bodies, on the other hand, have their own formal rationality and procedural requirements, especially in relation to grant administration. This frequently leads to tensions between the dynamics of 'top-down' and 'bottom-up' accountability as the gap between the requirements of funding bodies and those of communities proves difficult to reconcile.

In attempting this task, community councils and resource agencies play important roles. Community councils exist in most remote Aboriginal and Torres Strait Islander communities. They may be incorporated as an association under the Commonwealth *Aboriginal Councils and Associations Act* or under state

legislation (Mantziaris, 1997a: 11). In a strict sense, many of the community organisations commonly referred to as 'councils' are really incorporated bodies or associations. Almost all operate with an elected, representative board or management committee as the governing body of the association. It is this feature which is assumed to achieve community control.

Community councils perform a variety of functions: they seek resources from a wide range of bodies at Commonwealth, State and local levels, including private organisations such as mining companies. They administer these resources within the community. It is very common, for example, for the community council in a remote Aboriginal community to administer the local Community Development Employment Project (CDEP), an Aboriginal 'work for the dole' scheme, which is likely to make the Council responsible for the largest employment program in the community.

Many communities rely on their councils to secure funding for basic infrastructure needs and to administer these services for the community. In some states, most particularly in West Australia, State and local governments have been slow to accept responsibility for funding ordinary infrastructure such as power, water and roads in remote communities (AALRRG, 1996: 7). In areas which fall outside the mainstream service network, councils must seek funding for a power generator, as well as a water pump and equipment to repair and maintain roads. This is in addition to the social services many community councils provide.

Resource agencies often perform similar functions, although they may do so for a number of smaller communities in a region or, sometimes, particular groups within a larger community. The latter situation may arise when Aboriginal people live in a mixed community in a remote township, or where a mainly Aboriginal community has a number of different language groups or associated outstations. Resource agencies may also provide the accounting, financial and general 'paperwork' services necessary to support the communities in their dealings with other bodies (see HRSCAA, 1990: 131-43).

The significance of indigenous organisations in remote communities is hard to dispute, given the broad range of responsibilities they take. What should be recognised, however, is that this is not necessarily an expression of self-determination, but a necessity in the face of the failure of mainstream service providers to offer equitable access to basic services.

In 1976, Senator Viner introduced the *Aboriginal Councils and Associations Bill* with the following words:

> What is so important about this measure is that it will recognise cultural differences between Aboriginal and non-

> Aboriginal societies and enable Aboriginal communities to develop legally recognisable bodies which reflect their own culture and do not require them to subjugate this culture to overriding Western European legal concepts (cited in Mantziaris, 1997a: 11).

It is important to consider whether the political and economic environment within which indigenous organisations necessarily operate allows them to achieve the role anticipated of them by the architects of policies of self-determination and self-management. In particular, the points of interaction between indigenous organisations and the wider political and social environment need to be assessed to determine whether it is really possible for the distinct cultural agendas of these communities to be pursued.

4 Criticisms of the *Aboriginal Councils and Associations Act*

One of the most basic questions which needs to asked is whether the 'corporate body' is indeed the most appropriate mechanism to act as a vehicle for indigenous empowerment, or is the corporate identity more likely to draw indigenous organisations into the net of controls and requirements designed to regulate the activities of commercial bodies engaging in the market?

The *Aboriginal Councils and Associations Act* was enacted specifically as a tool to achieve self-management for indigenous people. It might, therefore, be expected to be sensitive to the special needs of Aboriginal community organisations. However, over the years of its operation it has attracted a number of criticisms. One of the most commonly stated is that it fails to provide an appropriate legal structure for the expression of indigenous political and cultural characteristics.

This is a theme elaborated by Sullivan (1997). One of his main concerns is the limitation of the formal concept of a 'corporation' when applied to the much broader role expected of indigenous organisations.

> The administration of the *Aboriginal Councils and Associations Act 1976* is heavily weighted to a mainstream Australian interpretation of corporate accountability and very little in it encourages culturally appropriate incorporation. In effect then the *Aboriginal Councils and Associations Act 1976* produces Aboriginal corporations that are distinct from and differently structured to the communities they are often taken to embody. (Sullivan, 1997: 16)

Sullivan is particularly critical of the capacity of such entities to provide expression of the native title rights of traditional owners. Under the terms of the *Native Title Act*, the 'prescribed body' in which native title is vested is required to be incorporated under the *Aboriginal Councils and Associations Act*.

> The difficulty arises because the *Aboriginal Councils and Associations Act 1976* goes further than the regulation of a corporate body to the regulation of entire social communities. Not surprisingly there is a clash of norms and concepts of right, and the effect is widely experienced as culturally oppressive. (Sullivan, 1997: 24)

A formal review of the Act in 1996 made many of the same points but identified the major problems as derived from processes of accountability, many of which it described as 'not necessarily compatible with each other' (AIATSIS, 1996: 138). In its conclusion the review made recommendations for a wider and more flexible range of legal options for incorporation:

> The review has concluded that there are major problems with the Act and the way it is administered, in terms of its cultural appropriateness, its effectiveness in providing accountability, and its use as a vehicle for self-governance. (AIATSIS, 1996: 149)

Similar criticism have been made of some of the state-based legislation providing for the incorporation of indigenous associations (Kamien, 1995)

These doubts about the capacity of the corporate model to accommodate the needs of community development in a culturally sensitive manner are concerns which arise from the belief that self-determination is most appropriately expressed at the grassroots community level. In many ways, however, other policy initiatives have established the *region* as the most important locus of planning and empowerment. This is largely due to the establishment and evolution of ATSIC.

5 Aboriginal Organisations and ATSIC

In 1989, the Hawke Labor Government announced the establishment of a new indigenous statutory authority, the Aboriginal and Torres Strait Islander Commission. This body, which began operation in 1990, was in many respects a bold innovation, replacing a government department with an elected indigenous Commission.

While the national board of Commissioners allocates resources for a number of Australia-wide programs, at local level a series of elected regional councils has the devolved responsibility to prepare regional plans for economic and social development and the allocation of a regional budget. ATSIC is not a direct service provider itself, but funds community-based organisations which are officially recognised by ATSIC as 'important instruments of Indigenous self-management' (ATSIC, 1998: 8).

In total, ATSIC expenditure amounted to just under $1 billion in 1997-98. Of this, the regional councils were responsible for spending just over half (ATSIC 1998: 196). ATSIC is not the only source of funding for indigenous organisations: in 1998-99 the Commonwealth Government estimated that it spent a total of $1.9 billion, with significant expenditure by the Department of Employment, Education and Youth Affairs and by Health and Family Services (Herron, 1998: 2-3). ATSIC also likes to emphasise the obligation of State and local governments to provide normal community services to indigenous citizens but this principle is frequently contested between jurisdictions. This is despite the negotiation of a *National Commitment to Improved Outcomes in the Delivery of Programs and Services for Aboriginal Peoples and Torres Strait Islanders* endorsed by the Council of Australian Governments in 1992.

Aboriginal community organisations typically look to a range of government agencies as potential sources of funding, although it is ATSIC which controls the largest dedicated budget for Aboriginal programs. It is useful, therefore, to consider the funding procedures and requirements of accountability that ATSIC imposes on community organisations.

Looking at the historical era in which ATSIC was originally conceptualised, it was inevitable that it would be a tightly accountable organisation, despite the rhetoric of self-determination with which it was announced. A number of issues involving the Department of Aboriginal Affairs had politically embarrassed the government of the day and had convinced the Minister of the need to bind its new vehicle for Aboriginal self-determination firmly into processes of financial and administrative accountability (Robbins, 1994).

ATSIC has always been subject to the direction of the Minister for Aboriginal Affairs on matters related to the administration of its finances. The Minister appoints the Chairperson (although this will change at the next elections later this year) and the CEO. The Minister must also approve the ATSIC Estimates and the form of those Estimates (ATSIC, 1998: 6). Within ATSIC there is an Office of Evaluation and Audit (OEA) whose role is described in ATSIC's annual report as follows:

> to ensure the highest standards of public accountability and programs of performance within ATSIC. OEA undertakes regular evaluations and audits of ATSIC operations, and special evaluations and audits at the request of the Minister or the Board (ATSIC, 1998: 4)

The Director of OEA is appointed by and accountable to the Minister, not the Board of Commissioners or the CEO.

In short, it is clear that processes of top-down accountability are very well developed in ATSIC procedures and that those organisations which are funded by ATSIC must be subjected to scrutiny by these centralised coordinating bodies. It is not entirely clear how the demands of political and administrative accountability embodied in ATSIC's formal organisational operations are expected to coexist with the empowerment of local community agendas.

At a practical level too, the independence of ATSIC regional councils is circumscribed by the allocation of funds between designated 'pots' of money, each with a nationally prescribed purpose and guidelines for allocation. The capacity of regional councils to respond to innovative requests for program funding by community organisations is limited by their own budgetary rigidities.

Another consideration is the size of the ATSIC 'region'. Under the terms of the original Act some sixty regional councils were established, but in 1993 restructuring reduced the number to thirty-six with a significant increase in the size of most regional councils. The current number of region councils is thirty-five, after the establishment of the separate Torres Strait Regional Authority in 1994 (ATSIC, 1998: 2).

This means in practice that Aboriginal community organisations within a fairly large geographical area must compete with each other for funding from the regional council. The tensions this can create within a region can be considerable. A recent review of ATSIC's decision-making processes commented that 'a major reason for the dissatisfaction with decisions is that the available funds for most programs appear to be far exceeded by the need and desire for funding for projects and services' (Attorney-General's Department, 1996: 24-5). It reported that in some areas the demand for funds exceeded the supply by a ratio of 9:1 (Attorney-General's Department, 1996: 24-5; see also Crough, 1997: 56).

The review also noted the tension between the requirements of 'lawful' decision-making by the regional council and the cultural values and traditions of indigenous representatives. 'Despite these values and traditions, under Commonwealth law, ordinary legal principles apply to their decision-making' (Attorney-General's Department, 1996: 25).

A number of studies of regional planning processes have underlined the importance of this point:

> ... at the official level, ATSIC institutes decision-making procedures which, at best, ignore cultural differences of process, if not actively undermining them through an insistence on standardised procedures throughout indigenous Australia. ATSIC can be viewed as the means by which the problem of meeting the divergent needs of indigenous peoples across Australia in varying socio-economic circumstances could now be reduced and delivered according to a formula (Finlayson and Dale, 1996: 83).

Yet it would be unfair to condemn ATSIC for the difficulties it experiences in reconciling a model of grassroots community empowerment with formal bureaucratic notions of centralised accountability. It is a thankless task which confronts the reality of limited resources and political pressures. Under these circumstances, the role that ATSIC regional councils play in managing and directing the preferences of community organisations may be the best that can be expected (Smith, 1996: 38).

ATSIC's difficulties with its role suggest that what is really required is a re-examination of the internal contradictions of its processes – especially the tensions between the 'top-down' and 'bottom up' concepts of accountability. This would no doubt reveal that the real issue is a lack of political commitment to accommodate the full implications of meaningful community empowerment and self-determination.

6   Aboriginal Organisations and the Quasi-market

Accountability and competitive practices are by no means new issues for indigenous organisations, as the ATSIC processes described above have always incorporated these dynamics. What is emerging in the last few years, however, is a reconceptualisation of processes of accountability along lines suggested by models developed to capture the characteristics of markets. Some of the manifestations of this trend are requirements of performance monitoring, tight service agreements and the use of competitive tendering to allocate service provider contracts. These trends are emerging across the board and affect not only the relationship between indigenous community organisations and ATSIC, but also the relationship with other government funders. These are trends which need to be examined to assess their impact on the capacity of indigenous organisations to pursue their acknowledged role of community empowerment.

After the election of the Howard Coalition Government in 1996, one of the first acts of the newly appointed Minister for Aboriginal and Torres Strait Islander Affairs, John Herron, was to issue a General Direction to the ATSIC Board, requiring a new level of accountability in the way it funded community organisations. Whilst this directive was later found to be invalid by the Federal Court, the Minister in the meantime appointed a Special Auditor (the Accountants KPMG) to examine ATSIC's funding practices (Crough, 1997: 55). A number of Aboriginal organisations were subsequently defunded or had their funding delayed as the allocation of grant money was made conditional on the approval of the auditor.

This action was indicative of the platform that the government has adopted in relation to the Aboriginal and Torres Strait Islander portfolio: a tough, 'no nonsense' approach which defines accountability (in the sense of compliance with legal and accounting requirements) as a higher priority than self-determination. It also defines effectiveness as the achievement of defined program objectives (such as the provision of infrastructure in remote areas) rather than the encouragement of self-management or community participation in the delivery of those services.

The Minister made his position clear in the Joe and Enid Lyons Memorial Lecture at the ANU in 1996:

> In the case of community-based programmes funded by ATSIC, the cost and quality of service delivery could be improved if the organisations supplying those services were chosen as a result of competitive tendering between potential suppliers.
>
> ATSIC has already taken steps in this direction in relation to major infrastructure works.
>
> In the case of service delivery it involves a fundamental shift in focus from the funding of organisations and inputs, to the specification and purchase of ouputs and outcomes – from the best available source.
>
> ... ATSIC is concentrating on the quality of the end product rather than the identity of the supplier. It is doing so by the use of competitive tendering, where possible, so that the cost of delivery comes down and the certainty and quality of delivery goes up (Herron, 1996:5-6).

The Minister made no effort to reconcile these principles with the existing expectation of community empowerment.

Changes have also been taking place in the funding relationships indigenous community organisations have with other government agencies. Grants for projects such as women's shelters or aged support services are, in theory at least, administered on the same basis in Aboriginal communities as they are in the cities. In the past, state departments responsible for the delivery of family and community services have operated on a community development methodology, developing a supportive relationship with community groups and facilitating the emergence of organisations capable of providing services relevant for that community.

With the adoption of the purchaser/provider ideology this nurturing relationship becomes problematic. Community organisations must tender for the right to provide the service, and there is no guarantee that their tender will be successful. The implications of this are profound. In what are frequently troubled communities struggling with the legacy of a colonial past, it matters whether services are delivered by locals or by non-indigenous outsiders. It also raises the possibility of the domination of some larger, more successful indigenous organisations on a regional basis. This could cause particular tensions in areas such as central Australia and northern Western Australia where many different language groups live in close proximity, but are very sensitive to their cultural distinctiveness.

Mainstream funding agencies are often required to offer tenders which have little regional specificity. This is in keeping with the purpose of tighter coordination and political accountability. One West Australian government department, for example, allowed its regional offices to add to the criteria for allocation of the tender, but not to remove any. If one of the criteria was problematic in its application to a remote indigenous community, it had to be preserved.

An example of this might be the specification of 'family preservation' principles as the basis for operating women's shelters. In an indigenous community, with cultural sensitivity to gender-based knowledge, this can be a requirement which contravenes the traditional way of doing things. At a practical level, an emphasis on including men in the activities and responsibilities of the shelter can damage the possibility of success in a community context of extreme levels of domestic violence and enormous timidity on the part of the women.

At a more general level the tighter specification of service agreements has an exaggerated effect in remote communities. A simple requirement of multiple quotes for the purchase of minor equipment can be nonsensical in areas where the nearest town is hundreds of kilometres away, and where the local store is community owned. Narrow definition of program objectives can impede the community service provider's capacity to provide the flexibility required in what are sometimes extremely dysfunctional social situations.

There is also the real problem of the additional burden on the community organisation in complying with complex reporting and performance measurement requirements. This is a concern which has been voiced by the broader community sector and is not unique to indigenous organisations, but the low levels of literacy and numeracy in remote Aboriginal communities compound this problem in ways that are unlikely to be experienced in the broader community. Pervading all of this is the general lack of understanding in many of these organisations of the principles and purposes behind these requirements. Communities have been encouraged to believe that they control their organisations and that they should be able to establish their own priorities. There is very often a conceptual gap between expectations of grassroots community memberships and the legal and financial capacity of organisations to implement the community's choices.

In a article titled *Developing Instability on Remote Aboriginal Communities: Current Government Policy or just a Mistake?*, Rae provides some insights from the perspective of a remote area indigenous resource agency coordinator:

> [Corporatisation] may possibly work elsewhere ..., but one group which is just not ready for this aggressively competitive and rapidly changing new environment would have to be remote area Aboriginal communities ...

> It is certainly the case that, despite the protestations from ATSIC that these days it is just a funding agency, its staff is far more interventionist in community affairs than ever before. With the heavy emphasis on accountability ..., ATSIC officers have the power to wield almost total control over the funding of an agency. So much for notions of 'self-management and 'self-determination' (Rae, 1998:21).

Rae points out that a common consequence of the compliance difficulties faced by remote area indigenous organisations is the imposition of a grant controller by the funding body:

> Grant control has a debilitating effect on the development of an organisation, drains it of much needed funds and imposes an inherently unstable system whereby all major decisions are made by a firm of accountants in Perth. These firms have little if any awareness of the needs and realities of tribal Aboriginal people and no real motivation to acquire this (Rae, 1998: 21).

So much for self-management and self-determination indeed!

7   Conclusions

The concerns about the compatibility of market style dynamics with any practical expression of indigenous self-management are genuine and require answers. However, it would be wrong to suggest that there are no more positive interpretations to be made of these trends. Some indigenous organisations are clearly capable of performing well in such an environment. In WA, for example, the Marra Worra Worra resource agency has participated in a joint tender to become a regional provider of infrastructure services. ATSIC has announced an innovative 'New Approach' to indigenous economic development, which proposes to harness the expertise of the private sector in financial and management services (ATSIC, 1998b). Many aspects of this policy discussion paper have potential to improve indigenous economic programs in positive ways.

Overall, however, the general consequence of such measures is to compound the already difficult interface between remote Aboriginal community organisations and the formal structures that have carriage of their political control and administration. What is needed urgently is a review of the role of indigenous community organisations and an assessment of their capacity to achieve self-management and accommodation of cultural difference in the current environment.

It may be that the grassroots or community-based model is not the appropriate or desirable basis for indigenous self-determination. Perhaps the regional focus currently practiced by ATSIC is a better one. But this needs to be discussed and understood by all involved, rather than the current situation where much of the rhetoric of community-managed self-determination is quite out of keeping with the policies and processes in place on the ground. Dodson and Pritchard (1998) have recently argued that the current Government has abandoned the policy of self-determination in practice. If this is true it is a poor reflection on a nation which is supposedly committed to a process of reconciliation, that so important an issue should not have attracted open and public discussion.

References

Aboriginal Affairs Legislative Review Reference Group (AALRRG) (1996), *Provision of Services to Aboriginal People in Western Australia*, Aboriginal Affairs Department, WA.

Aboriginal and Torres Strait Islander Commission (ATSIC) (1997), *Annual Report 1996-7*, ATSIC, Woden, Canberra

Aboriginal and Torres Strait Islander Commission (ATSIC) (1998), *Annual Report 1997-8*, ATSIC, Woden, Canberra.

Aboriginal and Torres Strait Islander Commission (ATSIC) (1998b), *Getting on with Business: Pursuing a Partnership with the Private Sector*, ATSIC, Canberra.

Attorney-General's Department (1996), *Improving ATSIC's Decision-making and Review of Decisions. Report on the Review of ATSIC's Processes for Decision-making and the Reconsideration of Decisions,* Attorney-General's Department, Canberra.

Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) (1996), *Final Report. Review of the Aboriginal Councils and Associations Act 1976. Volume 1: Main Text*, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.

Bryant, G. (1973), 'Aboriginal policy outlined', (Speech 15 July 1973), *Australian Government Digest*, 1(3), 1 July - 30 September, 904-10.

Crough, Greg (1997), *Indigenous Organisations, Funding and Accountability: Comparative Reforms in Canada and Australia*, Report Series No. 2, North Australia Research Unit, National Centre for Development Studies, Research School of Pacific and Asian Studies, Australian National University, Canberra and Darwin.

Dodson, Mick and Sarah Pritchard (1998), 'Recent developments in indigenous policy: the abandonment of self-determination?', *Indigenous Law Bulletin*, 4(15), October.

Finlayson, Julie and Allan Dale (1996), 'Negotiating indigenous self-determination at the regional level. Experiences with regional planning', in Patrick Sullivan, ed., *Shooting the Banker: Essays on ATSIC and Self Determination*, North Australia Research Unit, Australian National University, Darwin, 70-88.

Herron, John, Senator the Honourable, Minister for Aboriginal and Torres Strait Islander Affairs (1996), *The Joe and Enid Lyons Memorial Lecture*, Australian National University, 15 November.

Herron, John, Senator the Honourable, Minister for Aboriginal and Torres Strait Islander Affairs (1998), *Addressing Priorities in Indigenous Affairs*, AGPS, Canberra.

House of Representatives Standing Committee on Aboriginal Affairs (HRSCAA) (1990), *Our Future Our Selves*, AGPS, Canberra.

House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs (HRSCATSIA) (1993), *Access and Equity: Rhetoric or Reality? Report of the Inquiry into the Implementation of the Access and Equity Strategy*, AGPS, Canberra.

Kamien, T. (1995), 'Implementing self-Government - an examination of the Aboriginal Communities Act (WA)', *ELaw*, 2(1), [http://www.murdoch.edu.au/elaw]

Lea, David and Jackie Wolfe (1993), *Community Development Planning and Aboriginal Community Control*, Discussion Paper No. 14, North Australia Research Unit, Australian National University, Canberra.

Mantziaris, Christos (1997a), Beyond the *Aboriginal Councils and Associations Act*? Part 1', *Indigenous Law Bulletin*, 4(5), August-September, 10-14.

Mantziaris, Christos (1997b), 'Beyond the *Aboriginal Councils and Associations Act*? Part 2', *Indigenous Law Bulletin*, 4(6), October, 7-13.

Rae, Michael (1998), 'Developing instability on remote Aboriginal communities: current government policy or just a mistake?', *Northern Radius*, 5(3), December.

Robbins, Jane (1993), 'Volatile substances: coordinating petrol-sniffing programs for Aboriginal communities in a Federal system', *Australian Journal of Public Administration*, 52(1), 65-75.

Robbins, Elizabeth Jane (1994), Self-Determination or Welfare Colonialism?, PhD thesis, Politics Department, Flinders University of SA, Adelaide.

Robbins, Jane and John Summers (1996), 'Aboriginal policy', in Andrew Parkin, ed., *South Australia, Federalism and Public Policy*, Federalism Research Centre, Australian National University, Canberra, 173-95.

Robbins, Jane and John Summers (1997), 'Aboriginal Affairs policy', in Dennis Woodward, Andrew Parkin and John Summers, eds, *Government, Politics, Power and Policy in Australia*, (6th ed.) Longman, Melbourne, 510-20.

Rowse, Tim (1992), *Remote Possibilities: The Aboriginal Domain and the Administrative Imagination*, North Australia Research Unit, Australian National University, Casuarina, N.T.

Royal Commission into Aboriginal Deaths in Custody (RCIADIC) (1991a), *National Report*, Vol. 1, by Commissioner Elliott Johnston, QC., AGPS, Canberra.

Royal Commission into Aboriginal Deaths in Custody (RCIADIC) (1991b), *National Report*, Vol. 2, by Commissioner Elliott Johnston, QC., AGPS, Canberra.

Smith, Dianne (1996), 'From cultural diversity to regionalism. The political culture of difference in ATSIC', in Patrick Sullivan, ed., *Shooting the Banker: Essays on ATSIC and Self Determination*, North Australia Research Unit, Australian National University, Darwin.

Sullivan, Patrick (1997), *A Sacred Land, a Sovereign Ppeople, an Aboriginal Corporation. Prescribed Bodies and the Native Title Act*, Report Series No. 3, North Australia Research Unit, National Centre for Development Studies, Research School of Pacific and Asian Studies, Australian National University, Canberra and Darwin.

Whitlam, E.G. (1973), 'Aborigines and Society', (Press Statement 6 April 1973), *Australian Government Digest*, 1(2), 1 April - 30 June 1973, 697-8.

Wolfe, Jackie (1993), *The ATSIC Aboriginal Community Development Planning Program in Northern Australia: Approaches and Agendas*, Discussion Paper No. 16, North Australia Research Unit, Australian National University, Canberra.

It's Not All Over : Families After Divorce and Separation

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1   Introduction

In general public discourse we hear a great deal about family breakdown and the end of a family at separation or divorce. In recent months there have been statements in various public discussions about 'the epidemic of divorce' and the 'need to arrest family breakdown'. The government sees reduction of family breakdown as a key focus of its various policy and program activities to support or strengthen families.

A perennial issue in the field of family policy is how 'family' is defined. The focus has generally been on a demographic identification of the people who make up a legitimate family and yet the real issue is the function of the family for the people who identify themselves as having familial relationships.

The Continuation Of Families After Separation

At separation, the adult couple relationship may have ended, but for the children the family is still a family to them whether the members all live in the same household or not. This is so even if they are part of a new blended family. However, there is a strong tendency in everyday life, supported by cultural assumptions, to speak of the original family in question as finished.

In recent years there has been an increasing recognition of the related issue of continuing access for grandparents after separation. Given the complexity of separation issues, grandparents and other relatives of the original family such as uncles and aunts and cousins, could also provide very significant support to the parents and particularly the children.

Modern Focus On The Couple Relationship

Talk of the family as finished after separation results from the focus on the couple relationship and yet the couple as the centre of the family is a relatively new concept, as identified by Anthony Giddens in his 1999 Reith Lectures. He points out:

> The couple came to be at the centre of family life as the economic role of the family dwindled and love, love plus sexual attraction became the basis of forming marriage ties. (Giddens, 1999)

The so-called traditional family is in reality only a recent phenomenon. Giddens identifies the family as one of what he calls 'shell institutions' since inside them, their basic character has changed over time.

In this paper we look in more detail at the changing patterns of family structures over time, the different pathways families may take at separation and how these pathways impact upon positive parenting. The reality of providing ongoing parenting is very difficult even for the most committed and skilled of parents. How separating partners handle their responses through the ongoing process of separation has a major impact on their own and their children's future.

What we seek to understand are the factors that help or hinder separating couples in developing a positive and ongoing parenting partnership. In this context we examine the implications for programs and services, as well as the public policy dimensions.

2   Pathways to Post-separation Parenting

The literature usually conceives of parenting as a matter of how parents relate to their children - the concrete things they say and do with them. Most of us are familiar with a plethora of different parenting techniques, which we learn either from our own parents, from reading parenting books, or by going to parenting classes. But this is only part of the picture. It is also clear that the ongoing quality of the couple relationship is pivotal to the quality of life of everyone involved in the family (Cowan and Cowan, 1998). If the relationship is positive, children are more likely to feel more positively loved and cared for. This, in turn, seems to impact on children's sense of security and stability, influencing the quality of their own peer relationships. It makes sense that this finding is applicable to families, irrespective of whether they are together or apart.

Conversely, the main factors that appear to impact on children's well-being following separation are ongoing conflict between parents (Long, Forehand and Brody, 1987; Amato and Keith, 1991) and the withdrawal of a parent from their lives (Rodgers and Pryor, 1998).

3 Models of Parenting After Separations

Three models of parenting after separation are commonly identified in the literature - cooperation, no contact or parallel paths. Each model describes a different pathway followed by the parents.

Cooperation

In separated couples, it appears that there is a 'minimum optimum' arrangement which allows flow-on of positive benefits to children. This minimum optimum can best be described in terms of a business-like arrangement (Ricci, 1980). It involves seeing the relationship as one involving two people who have an interest in common (the children), a task to perform (bringing up the children), and an outcome to achieve (the mutual benefit of all concerned). For the children, this results in a relationship with both parents which is stable and positive and which frees them to get on with the business of growing up. In the literature on parenting after separation, this type of parenting relationship between ex-couples is referred to as either communicative (Simpson, McCarthy and Walker, 1995), harmonious (Lund, 1987) or cooperative (Maccoby, Depner and Mnookin, 1990).

In relationships of this kind, couples have usually been able to develop workable contact and residence arrangements for the children within a context of a cooperative parenting relationship. This arrangement depends on both partners being able to put aside bitterness and resentment and to separate their parenting and partner roles. Disagreements are not understood in terms of the personal deficits of the other partner. Rather, they are seen as inevitable events in an ongoing process in which both parents have to negotiate their way through uncharted territory.

In this process, both parents must redefine their roles and the ways in which they relate to each other. In many instances, this task is made more difficult by lack of adequate physical and financial resources. Frequently, the cooperative relationship is seen as one in which the children are shared equally. This is a false understanding. The model describes the quality of the parental interaction and the processes involved with decision-making, not a mechanical equality of access to the children.

No Contact

Not surprisingly, this category involves zero or only minimum contact by one of the parents with the children of the relationship. Usually that parent is the father, who quite frequently loses contact with his children. Simpson and colleagues (1995), in their study of fathers after divorce, found that men in this category were

more likely to report significant differences with their ex-partners than men in the other two categories. These differences related to issues around access/contact, new partners, and access to grandparents. They also reported more differences over major child-rearing decisions such as education, health care, etc. Individuals in such situations tended to be resentful and bitter, blaming the other parent for the present situation, or, alternatively, to be resigned to their lack of access. The children of couples following this pathway suffer the loss of a parent. Frequently, they also have to cope with living in a family situation where minimal contact with one parent translates into markedly reduced living standards for the children of the relationship.

Moving in Parallel

A parallel pathway (Simpson, McCarthy and Walker, 1995) is one where both parents maintain contact with the children, but there is little or very poor, and often conflictual, communication between the parents. Typically, in this category, the children live with one parent - more usually the mother - and the other parent, frequently the father, has contact rights. Couples in this situation may either be resigned to the situation or engaged in outright or covert conflict. Resentment and bitterness are frequently high. Children in this situation have to develop separate strategies for relating to both parents, and to avoid upsetting one parent because of their relationship with the other. In this situation, the parents often use their children as go-betweens, forcing them into the role of looking after their parents and inducing a pseudo-maturity way beyond their years.

Shifting Pathways

Couples often shift from one pathway to another (Simpson, McCarthy and Walker, 1995). The more common movement is from no contact to parallel to communicative, as past emotions and hurts are dealt with and as the spectre of the past relationship assumes less importance in each of the parents' lives. Ex-partners who may have established a communicative relationship may find that new conflict erupts over a new partner. Generally speaking, the introduction of a step-parent into a family is a time of disruption for everyone involved. The success of the new arrangement will depend upon a number of issues - the sensitivity and maturity of the step-parent, both in relation to the care of the children and the acceptance of the ex-couple's parenting relationship. Overall, what matters most is the ability of both parents to make room for a new adult influence in their children's lives.

Cultural Restraints to Positive Parenting

While each separation is unique, it is possible to identify a number of normative accounts or stories about relationships and separation which impact upon the parenting choices of separating couples and direct them down one of these pathways. These stories may also be seen as successive sets of cultural assumptions about the nature of the family and marriage which have been influential over the last 150 years. The accounts highlighted here are the dominant cultural stories. It is acknowledged that other stories have existed alongside, and between, these frames.

A notion that is central to this argument is that most of us do not tend to associate what is happening to us at a personal level with what is happening in society generally. Yet, we learn most of our attitudes about relationships and our behaviours in those relationships from our culture. In more traditional societies, there tends to be a dominant prescribed model of social interaction which is adhered to by most people. In modern societies, like our own, there may be competing models or stories.

4   Three Stories of Marriage and Separation, or Four?

The First: Different but Not Equal

This story was influential from the middle of last century until the end of World War I. Gender differences were highlighted, similarities minimised, with women defined as unequal and subordinate to men (Roe, 1983). Roles in relationships were organised along strict gender lines. Men were the heads of households; women were financially dependent and, whether married or not, excluded from most public roles. In many of the western countries, women were still regarded as the property of men - first fathers, then husbands - with few legal rights. The family was defined very broadly to include the extended family, operating with a network of reciprocal obligations. Divorce was rare, but remarriage frequent due to higher death rates, particularly of women in childbirth. Family size was large. When divorce did occur, it was tied to notions of fault and blame. Divorced women were socially excluded. The dominant themes that emerge from this story are gender-based role definition, men's ownership of women, and notions of blame and personal deficit upon separation.

The Second: Different but Equal

In the period after World War I, the emerging story relates to the complementarity of men and women. While women have more legal rights, and are now defined as individuals in their own right, institutional roles in marriage are still clearly

defined along gender lines, dividing men into breadwinners and women into carers. Women still had less access to education and work and most married women were financially dependent on their husbands (Bryson, 1983). In this account, male and female roles were viewed as equal but complementary (Hollway, 1997). Men and women were interdependent and were described as having different power bases, equally influential, thus balancing the relationship in terms of power.

The nuclear family model with clear gender roles was extolled, not only as the best way to bring up children but also as the model that would best service intimate adult relationship needs. Divorce was permissible but not socially sanctioned. It was difficult and expensive to obtain and very much tied to notions of fault and blame. When it did occur, it was mostly initiated by men. Prevailing role definitions meant that care and custody of children was normally awarded to women and the non-custodial parent was marginalised or even excluded from the family. A separated family was regarded as a 'broken' family.

The Third Story: The Same and Equal

By the 1990s, a new story is emerging. It is based on assumptions of equality (Edgar, 1997), and minimises differences. Women are defined as equal to men in law, and there are fewer structural barriers to women's achievements outside the family, although the change is far from complete. Relationship roles are no longer solely defined by strict role separation (women as carers, men as providers). Women's identity, in particular, may now be defined not only through their familial roles but also through individual achievement in the workplace. Men's identity, however, is still much more tied to achievement in the world outside the family. Living together is socially sanctioned. Couples are choosing to have fewer children, resulting in a much larger emotional investment in these children. Women have access to education and work, and theoretically are no longer financially dependent upon their partners. However, women still earn proportionally less than men.

There is now more emphasis on the private aspects of the relationship. Marriage or living together is entered into for love and companionship and is expected to meet most, if not all, of our intimate needs. Permanence is not sought in every relationship but, if people do decide to marry, most expect and hope that the relationship will be a lasting one. In fact, more than one-third of marriages ends in divorce. Women initiate the majority of these divorces. More importantly, divorce itself no longer involves notions of blame and fault, at least in the eyes of the law, if not in the folklore of the society. Custody of children or residence is no longer automatically awarded to mothers. The involvement of both parents following separation is seen as desirable, and parenting plans devised mutually by both parents are encouraged.

The emerging picture over this century is one of rapid social change, and most especially so in the latter part of the century. Contemporary social theorists such as Giddens (1996) and Beck (1996) argue that we are confronting epochal change of a major dimension.

The Untold Story: Children and Separation

In our three stories, it is interesting to note that children feature only as appendages to their parents. However, it is in the area of the welfare of children that we are now seeing a major change in public policy. Until the Middle Ages, children were not seen as distinct from adults. Gradually, children were defined as separate human beings, but different, in that they did not have full human rights. They were the property of their parents or the state.

As we approach the millennium, we are in a period of transition, with children now defined - at least in law, if not in practice - as persons enjoying full human rights. This transition is occurring on an international scale through the United Nations Convention on the Rights of the Child. Most relevant to family law and pathways to separation, the Convention emphasises the right of children to be involved in decision-making concerning their futures. Children are no longer viewed as 'the property' of others, but as persons in their own right, fully entitled to play a part in choices around separation.

5   Implications of the Dominant Themes

Change in attitudes towards marriage and relationships has been extremely rapid in recent years. However, that does not mean that new values simply supersede the old. Cultural transmission of personal and behavioural norms appears to change less rapidly and create conflict and confusion, particularly at times of stress. Partners in a relationship may come to have different cultural conceptions of their obligations and proper behaviour. Individuals may find themselves in wider social and extended family relationships in which there are widely different views on what marriage, families and parenting are about. At the time of separation, any one of the above stories may be operating for either one or both parties. Differing stories necessarily produce conflict and confusion.

We now look at the consequences of some of the dominant themes in these stories for separating couples which impact on their parenting choices. These themes must be addressed in our policies and practice if we are to be successful in helping those who separate follow a positive parenting pathway.

Theme 1: Gender-based Role Definitions

Our long history of gender-based role definition has resulted in women having far more practice in the caring role than men. Some writers argue that this role division has been supported by different psychological developmental trajectories for boys and girls (Orbach, 1995; Tannen, 1990) which result in distinct psychological profiles for men and women. These different psychological orientations cannot be overcome easily in one or two generations. Girls learn the skills of emotional relatedness and connectedness, boys the skills of independence and competition. These differences present different challenges for men and women at separation.

Challenges for Men

Separation challenges traditional male role definitions in a way which is not true for women. Women, overall, still take the responsibility for the emotional connectedness in the family. There is good evidence to suggest that, for a number of men, emotional connectedness to children is mediated through their partner (Backett, 1987). This makes sense when one thinks of the breadwinner model of family. But this model predisposes men, in their role as fathers, to rely heavily on their partners for information and responses concerning their children.

Men have to negotiate a new role with their children, not one based on being a member of a team or on the role as "head of the household", since that household no longer exists. The fact that separation forces men to transform themselves in this way probably accounts for men's greater propensity to lose contact with their children after separation. In our traditional understanding, these men have been viewed as 'irresponsible'. An understanding of their behaviour based on these ideas may help in broadening the frame and assist in targeting preventative programs which will help men make this transition.

Gendered role definition has also encouraged men to associate their identity as husbands and fathers with their capacity to provide financial support for the family. In turn, the role of breadwinner is also premised on women's assuming the caring role for the husband as well as for the children. The more clearly-defined these roles are, the more likely it is for there to be conflict over property division and ongoing financial contributions to the family after separation. This perception of injustice by men can become a strong barrier to cooperative parenting.

Challenges for Women

For many women, even though they may now be in employment, much of their identity is still tied to the role of caring for children and other family members. This, in turn, leaves them extremely vulnerable when that identity is threatened -

particularly if, on separation, their ex-partner proposes to share that role. This becomes even more of an issue if her ex-partner had not been involved in hands-on parenting to any significant extent during the relationship. The issue here is whether the father's non-involvement in the past means that the woman has won the right to exclusive parenting now and in the future. This is the converse of some men's beliefs that, because they have earned more of the money during the life of the relationship, they are entitled to a greater share of the assets.

Alternatively, the fact that the female partner may have been the main carer during the life of the relationship leaves her vulnerable to being left as the sole carer in the future, as her partner withdraws further from the family, both emotionally and financially. Often, she finds herself in severe financial difficulties, as well as coping with children who are reacting adversely to the loss of a parent.

Theme Two: Ownership of Partner

Challenges for Men

Of all the constraints operating at separation, the notion of ownership of one's partner is potentially the most destructive. Men are more afflicted by this idea - a direct cultural residue of the inferior legal position of women for much of this century. Although the legal situation has changed dramatically, the belief that marriage, or for that matter living together, somehow magically bestows on a man the right to exercise control over his partner is still pervasive. At the extreme, this belief can lead to a man killing his partner. Separation is the most dangerous time for spousal murder. It can also lead to ongoing harassment of the female partner long after the relationship is over and, for the man himself, an inability to get on with his own life, as he is unable to let go of what he sees as his property - the ex-partner or wife.

Theme Three: Notions of Fault and Blame

Challenges for Men and Women

No-fault divorce was introduced into Australia in 1975 and is now the basis of divorce regulations in many other western countries. Yet, the idea of fault is still very pervasive in the minds of many people when it comes to thinking about divorce and separation. Accompanying notions of fault and blame are ideas of reparation - that somehow the partner who is identified as the one responsible for the 'breakdown' of the relationship must pay for her or his misdeeds, must balance the books for the failure to stick to the contract. For some separating people, retribution may be interpreted as meaning that the partner at fault loses the right to continue to be a parent to the children.

Blame almost invariably breeds counter-accusations. The issue here is whether looking at separation from a blame perspective is useful or helpful. Does it help the partners to get on with their own lives? What effect does it have on ongoing parenting?

Theme four: The Ultimate Challenge - Ownership of Children

Challenges for Men and Women

The idea of ownership of children is very deeply embedded in our consciousness, and the opposite notion, that in fact we do not own our children, and indeed that they are people in their own right, is only slowly changing today, spearheaded by changes in the law.

Frequently, separation produces head-on battles over 'who will have the children', with the children caught very much in the middle. Such battles may extend over years and are experienced by most children as extremely frightening. It is as if the children are somehow objects to be fought over and won at the other partner's expense. Unfortunately, the battle is often won at the child's or children's expense.

Deciding that we do not own our children, and that they have a right to be heard, is a very painful transition for many parents. It is painful because they have to face up to the fact that they cannot have everything they want of their children, and that as a result of the separation they may have to share them.

6   Implications for Programs and Services

As a society, we are still very much in a period of transition, particularly between the story of 'different but equal' and 'the same and equal' story. There is widespread acknowledgment of the limitations of the equal but different story, particularly for women, but we are far from sure that what we have replaced it with works to the benefit of men, women and children. When we add to this the emerging picture of children's rights, it becomes quite understandable that many couples find separation very hard to deal with and end up in ongoing conflict.

Relationship support programs must situate their practices within the context of the rapid changes in attitudes and cultural values, and conflicting and often competing stories about marriage, family and separation.

This involves drawing out socially constructed ideas about gender-based role definitions, ownership of children, and fault and blame. Services should involve people in looking at the influence of these ideas on individuals and couples as they explore and deal with their separation. At the same time, individuals and

couples also need to be given information about the possible different pathways following separation and the likely effect of these pathways on their children.

Services must also consider how they can bring the voice of the child into the parents' decision-making. At a minimum, they should enquire about the impact of the parents' separation on the children, and at the maximum they should be working to include the children in the process in their own right by developing models of practice that are child inclusive. The more parents hear what their children need in the situation, and in particular the impact of ongoing conflict on them, the more likely it is that parents will move into a cooperative parenting pathway.

7 Policy Dimensions and Implications

There are some important policy dimensions and implications of recognising the need for continuity of parenting after separation.

In some aspects of policy, for example the reforms to the Family Law Act and the creation of the Child Support Agency, there has already been recognition of the need for ongoing parenting responsibility for the children.

However, does the assumption in public discourse that the family is finished at separation add to the difficulties of implementing the parental responsibility policy in the Family Law Act? We believe it does, in that it encourages the view that with the couple relationship ended, the family is finished, and the adults can or must build a new family, not just a new relationship.

If public policy is to require ongoing commitment we will need more than child support and settlements with divorce. We cannot legislate for 'commitment' but can we give incentives and support for positive parenting? Changes to the parenting allowance in the 1999 Federal Budget were examples of an inappropriate disincentive to shared parenting which resulted, for example, in both parents in a shared parenting arrangement under certain circumstances being ineligible for a health care card for the child.

In considering how to support people with ongoing parenting after separation it will also be important to look at the issues and ideas from other cultures on matters such as familial responsibility for children, e.g. the basis of kinship and familial support in Aboriginal society.

8 Summary

We believe that is vital that the Government continue to explore, research and increase the understanding of the importance of the continuing parenting and

wider family role after separation, the difficulty of the task, and what helps and what hinders at all levels. Strategic funding of programs and research to pursue this will be very important. An avenue for this could be the proposed Commonwealth National Families Strategy.

We need community understanding on how to support and assist parents and families struggling to achieve workable approaches. This is therefore a call for more discussion and exploration and support. Key 'players' and leaders of social institutions such as churches, schools, community organisations and the professions - especially lawyers, are essential to development of responses.

These are some of the challenges that families, the community and governments face as we move forward into the new millennium. Increasingly we have learnt that, far from signaling 'it's over', separation and divorce which involve children are just the beginning of transition into a variety of different ways of relating, all of which have implications for children.

References

Amato, P., and B. Keith (1991), 'Parental divorce and the well-being of children: a meta-analysis', *Psychological Bulletin*, 110, 26-46.

Backett, K. (1987), 'The negotiation of fatherhood', in C. Lewis and M. O'Brien, eds, *Reassessing Fatherhood*, Sage, London.

Beck, U. (1996), 'Risk society and provident state', in S. Lash, B. Szerszynski, and B. Wynne, eds, *Risk, Environment and Modernity*, Sage, London.

Bryson, L. (1983), 'Women as welfare recipients: women, poverty and the state', in C. Baldock and B. Cass, *Women, Social Welfare and The State*, George Allen and Unwin, Sydney.

Cowan, P.A. and P.C. Cowan (1998), Assessing and Intervening with the Couple: A Research and Intergenerational Perspective, paper presented at Tavistock Marital Studies Institute Conference, Towards Secure Marriages: New Directions in Couple Research and Practice.

Edgar, D. (1997), *Men, Mateship Marriage*, Harper Collins Publishers, Melbourne.

Giddens, A. (1996), 'Affluence, poverty and the idea of a post-scarcity society', in C. de Alcantara Hewitt, ed., *Social Futures, Global Visions*, Blackwell, Oxford.

Giddens, A. (1999), Lecture 4 - Washington DC - Family, *The 1999 Reith Lectures*, BBC Online Network, http://news.bbc.co.uk

Hollway, W. (1997), 'Subjectivity and method in psychology', in S. Dallos and R. Dallos, *Couples, Sex and Power - The Politics of Desire*, Open University Press, London.

Long, N., R. Forehand and G.H. Brody (1987), 'Self-perceived and independently observed competence of young adolescents as a function of parental marital conflict and recent divorce', *Journal of Abnormal Child Psychology*, 15, 15-27.

Lund, M. (1987), 'The non-custodial father: common challenges in parenting after divorce', in C. Lewis and M. O'Brien, eds, *Reassessing Fatherhood*, Sage, London.

Maccoby, E.E., C. Depner and R.H. Mnookin (1990), 'Co-parenting in the second year after divorce', *Journal of Marriage and the Family*, 52(1), 141-5.

Orbach, S. (1995), 'A woman's place?', in C. Curlow, ed., *Women, Men, and Marriage*, Sheldon, London.

Ricci, I. (1980), *Mom's House - Dad's House: Making Shared Custody Work'*, Collier-Macmillan, London.

Rodgers, B. and J. Pryor (1998), *Divorce and Separation: The Outcomes for Children*, Joseph Rowntree Foundation, York.

Roe, J. (1983), 'The end is where we start from: women and welfare since 1901', in C. Baldock and B. Cass, *Women, Social Welfare and the State*, Allen and Unwin, Sydney.

Simpson, B., P. McCarthy and J. Walker (1995), *Being There: Fathers After Divorce*, Relate Centre For Family Studies, Rugby, UK.

Tannen, D. (1990), *You Just Don't Understand: Women and Men in Conversation*, William Morrow and Co., New York.

Mutual Obligation and Social Capital: Towards a Critique

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1   Introduction

Two contemporary aspects of Australian social policy are mutual obligation and social capital. Both concepts have received a lot of publicity here and in other English speaking nations. On the one hand, mutual obligation is presented as an important element of a third way for the welfare state, a revitalisation of the social contract. On the other, social capital is claimed to be either the missing link to the economic triumph of global capitalism, or an antidote to it, moderating and humanising its effects. In this paper we argue that the two are inextricably linked in supporting ongoing social and economic restructuring. This has dangerous implications for the deliberative capacities of the state and supports the politics of blame and individualisation of those at the margins of society.

2   Mutual Obligation

The idea of mutual obligation has been elevated to a principle by the Federal Coalition Government and the opposition Australian Labor Party. The central tenets of mutual obligation reshape the terrain of welfare provision. Lawrence Mead (1997), one of the leading proponents of mutual obligation states, 'the idea is that the needy should receive aid, but only in return for some contribution to society and not as an entitlement' (Mead, 1997: 221). This aim relates to broader definitions of citizenship regarding the obligations of individuals to society as a precondition of their citizenship rights. Welfare assistance, therefore, needs to be eliminated because it creates dependency.

Mutual obligation has been expressed as a contract between the 'community' and those who rely on social security payments, to promote social inclusion and mutuality of the recipients into society as a whole. The arrangement underlying the initiative is to instil individual empowerment via contractual agreement (Rodgers and Wilson, 1998: 1-4). Policy initiatives invoked from this new welfare principle include the various workfare programs including 'work for the dole' and literacy tests in Australia, work requirements for Aid to Families with

Dependent Children (AFDC) in the USA (Raper, 1997: 9), the possible extension of such obligations to Family Allowance and Parenting Payment in Australia (Rodgers and Wilson, 1998) and the New Zealand Government's 'Code of Social and Family Responsibility' experiment (Angus and Brown, 1998).

In conjunction with New Right policies involving macro-welfare reform, for instance cuts in public expenditure, the substantive terrain of policy has shifted to 'micro-welfare'. This is encapsulated in quid pro quo elements, as opposed to social democratic ideals of fundamental rights. That is, it constitutes a further move towards instilling a 'contractarian State' where the conditions of the contract are between autonomous individuals ('the libertarian self') and the State (Carney and Ramia, 1999; Ramia, 1999; Yeatman, 1998).

However, the idea that recipients of government assistance have obligations in kind is not a new one. Mitchell Dean (1991) has articulated the essential nature of the liberal mode of government as 'distinguished by its aim of incorporating self-responsibility and familial duty within the lives of the propertyless' (Dean, 1991: 210). He notes that obligation has been central to liberal governance since Bentham, Malthus and the Poor Laws. The concept is not, as some central advocates of mutual obligation argue, entirely new.

In a particularly distasteful coincidence both John Howard and Wayne Swan, Shadow Minister for Family and Community Services, in speeches on May 4 1999, outlined their strong support for the principle of mutual obligation. John Howard stated that, 'those in receipt of ... assistance should give something back to society in return, and in the process improve their own prospects for self-reliance' (Howard, 1999b). Wayne Swan remarked similarly on reciprocal obligation between government and benefit recipients, the only difference being that his government would provide 'better quality work for the dole' and that such obligations would also extend to the provision of Family Payment (Swan, 1999).

3 The Legitimating Function of 'Community'

However, oddly, the legitimation for mutual obligation policies is by reference to the 'communitarian self'. Policy discourse is not termed as individual obligations to the state for receipt of benefits, but rather the community's right to demand recompense from individuals. This shifts the burden of legitimation to a particular reified construction of 'community' whilst at the same time allowing the state to claim such legitimation as enacting political will formation.

The justification for these initiatives, Howard claims, is that governments 'have an important obligation to encapsulate community aspirations' (Howard,1999a). Further, his Government's

> approach supports the social institutions, such as the family, which uphold those values ... that include independence, personal responsibility, tolerance, respect for individual dignity, maximising individual potential and upholding obligation to other members of the community. (Howard, 1999b)

Mark Latham argues that the State is overburdened by claims from society for assistance and that its legitimacy is being eroded (Latham, 1998a: 360). He concludes: 'This is reason enough for turning to ... the non-state public sector as an expression of social capability and complex equality (Latham, 1998a: 260).

At the same time, many identify trends indicating social stress and community breakdown as a symptom of globalisation and social and economic restructuring. Lindsay Tanner's analysis (of the ALP Left) is typical. He suggests that the collapse of 'rigid family and social structures have been tremendously liberating. Yet greater freedom for all has been accompanied by greater loneliness for many' (Tanner, 1999: 43). He proposes a new 'guiding story' to replace what he says are the failures of 1960s style new social movements (Tanner, 1999: 49). The answer, he states, is 'community'; 'Governments should renew and intensify their commitment to community institutions which promote social interaction and interdependence' (Tanner, 1999: 57). What governments need to do, he says, is instil in individual citizens 'a capacity to participate' (Tanner, 1999: 51). He enlists a number of theoretical constructs to support his case including 'Networks of trust, mutuality and social capital [which are] central to the efficient functioning of any society' (Tanner, 1999: 51). As part of his way forward he calls for an acceleration of the process of targeted case management and mutual obligation (Tanner, 1999: 62).

Thus we can see clearly how notions of mutual obligation are legitimated upon the need to build trust and social capital on the basis of the needs of 'community' in the face of new global conditions of economy, society and citizenship.

4   'Slippage': The Contest For Civil Society

However the requirement of legitimating 'old wine in new bottles' has pernicious underlying consequences, involving a 'slippage' over the contest for civil society. Howard's new 'social conservatism', Blair's 'third way' (Blair, 1998) and the doctrines which such an ideology have inspired, including certain social capital

polemics, have transformed the technical discourses of economic rationalism into communitarian justifications for the progressive marketisation of civil society. That is, the discourse of economic rationalism has not been all pervasive and its proponents require assistance from a popular appeal to altruistic notions of community to establish a foothold within lifeworlds and cultural horizons.

There has been a long tradition in which conservatives have argued that free market exchanges are inherently moral (see Dean, 1991, for the relationship between the moral policing of the poor and political economy). Friedman, for instance, argues that economic transactions are inherently morally good, unlike other forms of interaction in civil society which 'cannot be bilaterally voluntary or informed, by definition' (Pusey, 1996: 76). Therefore the goal of policy is to marketise all social relationships and also to free up these markets by removing so-called 'impediments'. This has been supported by conservatives in Australia, particularly the Centre for Independent Studies (Hamlin, Giersch and Norton, 1996).

However, there has been a shift in the conservative position. This involves moving from the essentialist Friedman model to defining social capital as an intersection between free market liberalism and communitarianism (Norton, 1997). Civil society is presented as 'a space of uncoerced human association' and directly counter-posed to a coercive state (Norton, 1997: 2-4). The quality that supposedly defines societies rich in social capital is 'trust'. Trust no longer arises solely from economic exchanges, but is inherent in particular communities. It is said to facilitate social order, good governance and productive enterprise (Latham, 1997; Sturgess, 1997; Fukuyama, 1995; Putnam, 1993). A central text is Francis Fukuyama's Trust (1995), in which he asserts: 'Just as liberal democracy works best as a political system when its individualism is moderated by public spirit, so too is capitalism facilitated when its individualism is balanced by a readiness to associate' (Fukuyama, 1995: 351). The Member for Werriwa also argues that there is a 'false divide between economy and society' and that

> a solid, trusting society would strengthen the market by
> lowering transaction costs and smoothing the flow of trade.
> Just as much, market freedoms would be used responsibility
> in a trusting society, thereby strengthening social opportunity
> and prosperity. (Latham, 1998b: 388)

The effect of this analysis is that it ultimately implodes the value rational nature of communicatively secured understanding into the instrumental idealisations of economic reason. Real distinctions are deflated. Society and economy appear on one side against a coercive state on the other. The theory ultimately equates strong institutions of the welfare state as poison for social capital, which displaces the spontaneous bonds of trust with 'social engineering'. The effects of

this deflation, however, are that 'quality of life' is equated to 'standard of living', the 'situated self' is equated to the 'libertarian self' and discourse ethics implodes into market choice (Pusey, 1996: 71). This market communitarianism is deemed to be conducive to the creation of mutual networks of trust and reciprocity. It is also claimed to be what the 'community', and not just technical elites, desire. But as Pusey points out in his ongoing study of Middle Australia, the process of economic restructuring is tearing out the middle of Australian society and increasing the extraordinary exploitation of the powerless (Pusey, 1998). Despite this, Howard justifies such measures on a distortion of the very values and expectations of those he calls the 'heartland of Australia'. This 'community' is not a real, diverse and fluid phenomenon, but is instead entirely reified, abstracted from any situated reality.

The contest for civil society is no longer defined solely through economic discourse. It relies on cultural understandings that support and assist the primacy of economic imperatives and the individualisation of citizens. Economic rationalism is sold to the public by using discourses of 'community' which the major parties claim are life-world realities, what people consider to be 'the good'. Thus 'community' takes the place of the republican concept of the State, representing the 'true' expression of the general will.

5   Culture and the Reified 'Community'

Although the more sophisticated social capital theorists recognise the potential for cultural oppression and majoritarianism in their advocacy of 'community', the notion does little to protect against the real dangers of what this entails. Such cultural oppression is redefined by these theorists as 'bad' social capital (Cox, 1995: 29). However the notion of social capital, albeit good or bad, is based on normative assumptions. These assumptions effectively construct all cultural associations outside of that which is stipulated as providing positive social capital as 'Other', or marginal to the norm. This is different to saying that fear of diversity is 'bad' social capital, but rather that the notion of social capital itself marginalises types and understandings of social and cultural existence.

Social capital posits a generalised middle class 'I', an elite 'I', which determines cultural standards of social interaction. For example Putnam, writing on Southern Italy, wonders why trust and social capital are not as positive in the Southern regions of Italy as they are in the North (Putman, 1993: 163). 'One is attempted to ask in exasperation,' he writes, 'Have people in these troubled regions learned nothing at all from their melancholy experience? Surely they must see that they would all be better off if only everyone would cooperate for the common good' (Putnam, 1993: 163). A Calabrian might interpret such a statement as, 'faccio il

syndico' - that is, 'I make the union'. A connection to Howard's 'relaxed and comfortable' utopia is apparent.

An alternative explanation for life in Southern Italy comes from Antonio Gramsci. He describes how, in Southern Italy, 'a general solidarity between oppressors and oppressed had developed, with cultural processes reinforcing the political and economic domination of the ruling group' (Connell, 1977: 206). Especially relevant for Putnam's analysis of social capital is Gramsci's identification of the role of intellectuals in maintaining cultural control by elite groups (Connell, 1977: 206).

In Australia, the cultural oppression inherent in mutual obligation policies has often been exerted over young people. Walsh and Bahnisch cite Derrida's argument that public space and political discourse is constructed in ways that circumscribe the right of particular groups to participate (Walsh and Bahnisch, 1999: 59). What social capital and the 'third way' more generally entail is the identification of the political with particular value spheres around a generational order. They state that the effect is to position young people as those 'who owe "duties" and "obligations" to society [and] are carefully positioned as objects of public discourse, outside the boundaries of the political' (Walsh and Bahnisch, 1999: 59). This pretends, as Mark Davis points out in gangland, 'that the current generation of commentators are the only possible producers of authentic politics' (Davis, 1997: 56). Social capital will not make sense, therefore, of many informal associative arrangements, including those popular among young people.

Cultural conservatism is also apparent in recent conservative appointments to public institutions. These include Peter Saunders as the head of the Australian Institute of Family Studies and John McDonald as Curator of Australian art at the National Gallery of Australia. There have also been direct attacks on other public institutions including the Aboriginal and Torres Strait Islander Commission, the Australian Youth Policy and Action Coalition, the Office of Status of Women and the ABC. The funding of the Social Policy Research Centre has been made contestable and there have been changes to spending on higher education. All these moves weaken the institutions needed to uphold democratic processes and culture. These require a deliberative state, rather than associative social capital. 'Community' is equated to culture and those that do not meet the norms of the bourgeois aspirations of conservative social capital theorists are excluded.

Booth Fowler notes: 'the term community is not well-defined; indeed it harbours a large variety of meanings' (Etzioni, 1996: 305). In social capital theories the elusiveness of the term acts as a conceptual link that unites the other poorly theorised notions of society, the individual and the State, by virtue of this elusiveness. Social capital debates then become minor arguments about whether communities are functional or poisonous and how such symptoms should be

measured. Of course, the impact of government on social capital formation is usually negative and at best uncertain. It is not strange that a theory that lacks any adequate understanding of citizenship and democracy concludes that the state works against the formation of social capital. Yet the clearly self-referential logic of this argument escapes conservative social capital theorists.

6 'Losers', 'Competence' and 'Community Capability'

Social capital constructs the 'losers' in globalisation as moral failures, as deviant, as dysfunctional individuals. Wilson (1991) argues that the moral experience of failure is not, as social capital theory implies, linked to individual moral shortcomings or the absence of a work ethic (Wilson, 1999: 8). In fact, 'failure and its distressing consequences are deeply connected to deficits in recognition' (Wilson, 1999: 6). That is, the marginalised suffer a lack of social recognition, which forms the basis for social inclusion, self-respect and personal autonomy (Honneth, 1995). The focus on culture normatively defined in bourgeois terms dismisses the coping strategies individuals and groups employ in response to the structural conditions which arise out of the conditions of late modernity, or post-modernity, depending on your preferred perspective. Therefore social capital theorists cannot make sense of particular coping strategies which, for them, seem quite destructive. In reality these actions are not only a response, but a progressive rejection, of the exploitative conditions of our times.

For instance, social violence can be understood as a collective (albeit pathological) response to the increased risk brought about by systemic change, including the supposed inevitability of de-unionisation, punitive workfare programs, the 'politics of blame' and the welfare state 'crisis' (Wilson, 1999: 10). This is not a breakdown in trust but rather the absence of reconstructive, collective modes of coping. This includes strong welfare states which ameliorate the conditions of structural adjustment via collective risk management. Another is the existence of public mediating institutions which tap into social movements and thus democratise both states and markets (Wilson, 1999: 10). Instead, social capital privatises and destructures collective forms of coping with change by 'pushing the burden of psychological and material adjustment onto individuals ... and transferring the burden of adjustment onto non-institutionalised forms,' (Wilson, 1999: 12) in this case a reified community.

Here we can see how mutual obligation rests on social capital. By linking welfare to middle class cultural constructions of competence there is a punitive response to actions which are deemed as destructive of social capital. As a result, mutual obligation policies employ psychological discourse in order to pathologise and police the marginalised. For instance, Mead, in justifying limits on welfare and linking welfare to work, states that

> the poor lack the capacity to establish and maintain trusting
> relationships with other people ... all adults require these ties
> to get income, preferment, and emotional support needed to
> make a success out of life. Poor adults tend to sacrifice trust
> to impulse, even though they know it is self-destructive.
> (Mead, 1996: 38).

Popenoe (1996), in defending the AFDC 'family cap' policy in the United States, claims that 'if a woman is already on welfare she should not be having more children unless she is able to support them; she should not be having more children at the taxpayer's expense' (Popenoe, 1996: 25). Ultimately, a justification is given which resounds with 'third way' mentality; (quoting Jencks) "any successful social policy must strike a balance between collective compassion and individual responsibility" ... it calls for mutual obligation between state and citizen' (Popenoe, 1996: 25-7). Social policy thus becomes a problem of increasing the capacities and capabilities of 'Others'. The result of this is a further shift away from universal welfare which allows deeper distinctions to be made between the 'deserving' and 'undeserving' poor. With the progressive reduction in public provision and increased income insecurity the undeserving are further scapegoated and marginalised from the reified community (Goodman, 1997).

The policing of competence results in increasing individualism, surveillance and clientelism. The phenomenon of clientelism in the provision of social support has been well documented by Wearing (1998). Yeatman (1998) has argued that an increasing 'contractarianism' is characterising public policy in Australia. Interestingly, the real identities of the marginalised are obscured behind the veil of 'community' despite the stress on the primacy of the individual (Hogan, 1992: 173).

The current contractualist agenda does not come to grips with the realities of global capitalism and the nature of the slippage over the contest for civil society. As Ramia (1999) notes, the pursuit of this contractualist agenda is dangerous because it cannot be a substitute for the vital social protection role of welfare state institutions. In fact, this is a time when the contractualist agenda 'has partially de-legalised the system, de-legitimised the rights of its beneficiaries, and added to the socio-economic marginalisation of the unemployed' (Carney and Ramia, 1999: 117).

Pixley (1997) concludes that

> The issue is not the work ethic but rather the sources of
> identity formation through recognitions of our broader
> reciprocal interdependencies. In the absence of these,

conservatives can highlight personal deficiencies, 'idleness', crime and 'dysfunctional families', but others point to poverty, stress and suicide rates on the one hand, scapegoating and racism on the other'. (Pixley, 1997: 29)

7 Conclusion

To conclude, this paper makes five key theoretical points.

Mutual obligation policies and social capital theories utilise the concept of 'community' in order to shift the burden of legitimation away from the state.

This is a reified notion of community, abstracted from reality.

- This reification is effected by social capital theories through particular norms which represent a bourgeois notion of sociality.

- This effectively marginalises or 'Others' many forms of cultural association.

The use of this market communitarianism effects a slippage. That is, it transforms the technical discourses of economic rationalism into communitarian justifications for the progressive marketisation of society. This major project of social engineering/policy learning deflates distinctions between communicatively secured interaction and instrumental, economic reason.

The focus on this normative version of culture dismisses the coping strategies individuals and groups employ in response to the structural conditions of society. This leads to pathologising outsiders and the construction of psychological discourses of competence that further heighten individuation and fuel the politics of blame.

This theoretical complex mis-recognises the role of progressive political social movements and social-democratic welfare structures.

References

Angus, J. and M. Brown (1998), Cracking the Code: A Report on the Proposed Code of Social and Family Responsibility, paper delivered at the Sixth Australian Institute of Family Studies Conference, Melbourne, 25-27 November.

Blair, T. (1998), *The Third Way: New Politics for the New Century*, Fabian Society, London.

Carney, T. and G. Ramia (1999), 'From citizenship to contractualism: the transition from unemployment benefits to employment services in Australia,' *Journal of Administrative Law*, 6(3), 117-39.

Connell, R.W. (1977), *Ruling Class, Ruling Culture: Studies of Conflict, Power and Hegemony in Australian Life*, Cambridge University Press, Cambridge.

Cox, E. (1995), *A Truly Civil Society*, ABC Books, Sydney.

Davis, M. (1997), *Gangland: Cultural Elites and the New Generationalism*, Allen and Unwin, St Leonards.

Dean, M. (1991), *The Constitution of Poverty: Toward a Genealogy of Liberal Governance*, Routledge, London.

Etzioni, A. (1996), 'Positive aspects of community and the dangers of fragmentation', *Development and Change*, 27(2), 301-14.

Fukuyama, F. (1995), *Trust: The Social Virtues and the Creation of Prosperity*, Penguin, London.

Goodman, J. (1997), 'Scapegoating and surveillance: unemployment policy in Australia,' *Arena Magazine*, 27, February-March, 20-4.

Hamlin, A., H. Giersch and A. Norton (1996), *Markets, Morals and Community*, Centre for Independent Studies Ltd, St Leonards.

Hogan, T. (1992), 'Review of Mitchell Dean, The Constitution of Poverty: Toward a Genealogy of Liberal Governance', *Thesis Eleven*, 33, 171-3.

Honneth, A. (1995), *The Struggle For Recognition: The Moral Grammar of Social Conflicts*, Polity Press, Cambridge.

Howard, J. (1999a), Federation Address - 'The Australian Way', presented to the Queensland Chamber of Commerce and Industry, Brisbane, 28 January.

Howard, J. (1999b), Address to the Australia Unlimited Roundtable - Building a Stronger and Fairer Australia: Liberalisation in Economic Policy and Modern Conservatism in Social Policy, Melbourne, 4 May.

Latham, M. (1997), 'The search for social capital', in A. Norton, M. Latham, G. Sturgess and M. Stewart-Weeks, eds, *Social Capital: The Individual, Civil Society and the State*, Centre for Independent Studies, St Leonards, 7-48.

Latham, M. (1998a), *Civilising Global Capital: New Thinking for Australian Labor*, Allen and Unwin, St Leonards.

Latham, M. (1998b), 'Economic policy and the Third Way', *Australian Economic Review*, 31(4), 34-98.

Mead, L. (1996), 'Welfare reform at work,' *Society*, 33(5), 37-40.

Mead, L. (1997), 'Citizenship and social policy: T.H. Marshall and poverty', in E. Paul, F. Miller and J. Paul, eds, *The Welfare State*, Cambridge University Press, New York, 197-230.

Norton, A. (1997), 'Social capital and civil society: some definitional issues,' in A. Norton, M. Latham, G. Sturgess and M. Stewart-Weeks, eds, *Social Capital: The Individual, Civil Society and the State*, Centre for Independent Studies, St Leonards, 1-6.

Pixley, J. (1997), 'The many meanings of dolework,' *Arena Magazine*, 30, August-September, 27-9.

Pusey, M. (1996), 'Economic rationalism and the contest for civil Society', *Thesis Eleven*, 44, 69-86.

Pusey, M. (1998), 'Incomes, standards of living and quality of life: preliminary findings from the Middle Australia Project', in R. Eckersley, ed., *Measuring Progress: Is Life Getting Better?*, CSIRO Publishing, Collingwood, 183-97.

Putnam, Robert (1993), *Making Democracy Work: Civic Traditions in Modern Italy*, Princeton University Press, Princeton.

Ramia, G. (1999), The 'New Contractualism', Social Protection and the Yeatman Thesis', unpublished manuscript, Faculty of Law, University of Sydney.

Raper, M. (1997), 'Getting tough on welfare', *Impact*, May.

Rodgers, K. and K. Wilson (1998), Rights and Obligations of Families in the Social Security System, paper delivered to the Sixth Australian Institute of Family Studies Conference, Melbourne, 25-27 November.

Sturgess, G. (1997), 'Taking social capital seriously', in A. Norton, M. Latham, G. Sturgess and M. Stewart-Weeks, eds, *Social Capital: The Individual, Civil Society and the State*, Centre for Independent Studies, St Leonards, 49-83.

Swan, W. (1999), Making Families Stronger: New Directions for Family Support, speech to the Evatt Foundation, 4 May, Sydney.

Tanner, L. (1999), *Open Australia*, Pluto Press, Annandale.

Walsh, M. and M. Bahnisch (1999), '"gangland": the political abjection of a generation' *Social Alternatives*, 18(2), 59-63.

Wearing, M. (1998), *Working in Community Services: Management and Practice*, Allen and Unwin, St Leonards.

Wilson, S. (1999), Damaged Recognition and the Psycho-Social Dynamics of Economic Reform, unpublished manuscript, School of Sociology, University of New South Wales.

Yeatman, A. (1998), 'Interpreting contemporary contractualism', in M. Dean and B. Hindess, eds, *Governing Australia: Studies in Contemporary Rationalities of Government*, Cambridge University Press, Cambridge, 227-41.

Social Responsibility: A New Zealand Government's Definition

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1 Introduction

In a Budget presented to Parliament by New Zealand's Treasurer, Winston Peters, in 1997, an intention was signalled that welfare entitlements could in the future be linked to parental responsibilities. Thus the draft *Code of Social and Family Responsibility* launched by Jenny Shipley on 17 February 1998 had been foreshadowed but was not to emerge in published form until after her parliamentary debut in which it was announced as a social policy priority for 1998. A discussion document appeared in householders' letterboxes within a few days of this speech. People were invited to read the booklet, discuss the issues of benefit entitlement and related expectations of responsibility, and send a response form to the Department of Social Welfare (DSW) before the end of April. The government intended that DSW social policy analysts, forming a Response Analysis Team, would report on public responses by July. In the days and weeks following the mass mail-out of the code, much media comment expressed the view that Shipley, the Treasury and her Cabinet ministers were seeking an electoral mandate for cuts to social spending. In this sense, the code was seen to be an outright attack on welfare beneficiaries.

In this paper we argue that while the government's clear desire in this social policy initiative was to effect change in the public's attitude to entitlement in relation to welfare support, in practice it is unclear whether this did occur, and we think it probably did not. We present findings from our study of the impact of the code, carried out in the weeks after its release, showing that the public appeared almost entirely unmoved by its government's desire to shift notions of entitlement to a new values paradigm of family responsibility.

2   Background to the Code

It is useful to locate the 1998 proposed *Code of Social and Family Responsibility* within a framework of the most recent two decades of economic and social change in New Zealand. This draft document containing information and discussion points on eleven issues mostly concerned with child-rearing and employment obligations, is part of a larger picture of change. Once the nation where wide-ranging welfare support was provided 'from the cradle to the grave', New Zealand was economically able to sustain this social policy through the prosperous post-World War Two era and into the 1960s and 1970s. For example, while the job market remained buoyant, little was expected of unemployment benefit recipients because there were relatively few of them.

However since the 1980s, economic, technological and industrial conditions have changed. Unemployment has risen dramatically in New Zealand, as elsewhere; social support costs to the government have escalated. In this period, people have allegedly become complacent in their reliance upon state support after decades of governmental generosity. As a result, New Zealand has experienced a number of attempts by both revisionist and conservative governments to initiate change in people's attitudes to welfare and self-sufficiency. These have included privatisation of health care, and a re-contextualising of welfare in 1998 so that traditionally separate government departments such as Employment Services and Income Support have been integrated as Work and Income New Zealand (WINZ). In addition, an announcement was made early in 1999 that the Department of Social Welfare (DSW) would be abolished, the intention being that responsibility for social services will be devolved to the community (Coney, 1999). The government is looking to 'social capital' as the solution to wide-ranging social problems.

Many economic measures which collectively came to be described as 'user pays' in the late 1980s and early 1990s, and which included other radical strategies such as asset sales and corporatisation of state-owned enterprises, were initiated by traditionally beneficent Labour administrations. Yet in more recent times under successive National Governments, social services reform has continued. Where all visits to a family doctor were once heavily subsidised, for example, and prescription drugs were supplied at little or no cost, now payment is according to a patient's economic status and entitlement to a 'Community Services' card. This change was presided over by the then Minister of Health, Jenny Shipley, in 1991.

The rising cost of support for the elderly is also a governmental concern. The number of people of retirement age is set to significantly increase as the 'postwar baby boom' passes through the statistical tables. It is argued that people need to be encouraged to make provision for their old age as a matter of some urgency.

Treasurers of otherwise divergent political persuasion have been consistent in their view that the state can no longer sustain the cost of caring for the elderly entirely through taxing a shrinking proportion of the working age population. Attitudes must therefore change.

Thus various governmental strategies have been introduced in the 1990s in an effort to trim the income support budget. For example, benefit levels were reduced in 1991 and frozen in 1998. A 'work for the dole' scheme was introduced on 1 October 1998, reminiscent of legislation in Wisconsin in the United States (Greenberg, 1996) which requires all welfare recipients to work. In New Zealand this change has been implemented despite low numbers of jobs available, especially for unskilled workers.

Nevertheless, despite revisions to social welfare policy, New Zealand's National-led Coalition Government has continued to be beset by problems, especially unemployment and welfare dependency, which are at once social and economic. That is, the social and the economic are inseparable elements of governmental practice.

By the mid-90s, a series of conferences in Auckland had brought such interconnected socio-economic issues into the glare of public debate. 'Beyond Dependency', held in February 1997, was a government-sponsored gathering of overseas experts and government officials designed to explore solutions to what were believed to be welfare-dependent lifestyles. It was echoed with no small sense of irony by 'Beyond Poverty', a voluntary and aid-agency conference held in response soon after as a voice for the voiceless impoverished.[1] Thus a climate of sometimes angry disagreement and dispute emerged at this time, a product of many New Zealanders' concern over the impact of a 'more market' economic ideology. It also comprised an element of a wider agenda held by social activists in the 1990s who were interested in finding links between welfarism, the individual responsibility being called for by governments, and the need for governmental accountability in social outcomes.

From time to time 'the taxpayer's' support has been enlisted by the government in seeking out those beneficiaries allegedly taking advantage of the system, to ensure that assistance is directed to the genuinely needy and deserving. This attempt to involve communities in monitoring individuals' use of welfare money was resurrected in 1998 at the time of the release of the proposed *Code of Social and Family Responsibility*, with a television campaign encouraging people to

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1   The concept of a Social Responsibility Act, a counterbalance to the *Fiscal Responsibility Act (1994)* which provides a governmental framework for economic management (St John, 1997), was debated at a further conference entitled 'Social Responsibility: Whose Agenda? Choices for the Future' in February 1998 at Massey University, Albany Campus, Auckland (Boston,1998).

report various types of benefit fraud. Something of the flavour of this ascribing of virtue to 'the taxpayer' and vice to the beneficiary can also be seen in the use of depersonalised, emblematic language in the draft code. Its tone is at times allegorical: 'we also know that *the taxpayer* has been spending more and more on government programmes for social services ... [and we need to decide] what responsibilities *the taxpayer* should pick up' (Corporate Communications Unit CCU, DSW, 1998: 1). In this way, the code fosters a polarised view of the New Zealand community ('beneficiaries' versus 'taxpayers') which, it is argued, is misleading, because beneficiaries pay income tax and a goods and services tax on purchases in the same way as those who earn more (Massey University College of Education submission, 1998). The beneficiary versus taxpayer dichotomy also sets up a 'blame the victim' framework for the issues in the document.

Many commentators viewed the 1998 draft code as unfairly targeting welfare recipients, especially those in the categories of unemployment, invalids, and c .mestic purposes benefits (mainly women at home with children). It seemed that unemployed and domestic purposes beneficiaries (DPB) in particular had been put on notice that the community could expect certain behaviours in return for welfare payments. DPB recipients would be required to immunise their children and enrol them in some form of early childhood education; the unemployed would be required to work. The draft code was thus in part an attempt to shift New Zealanders' understanding of responsibilities and expectations in the direction of making welfare contractual in nature. An emphasis on reciprocal obligations for beneficiaries is a relatively recent development in New Zealand's system of welfare support (McKenzie, 1997).

The proposed code in some sense equates social responsibility with individual responsibility: to make provision for one's own life requirements is to be socially responsible; or, social responsibility is a way of life which minimises impact on society. In the past, 'social responsibility' has been a broader, more outward-looking concept with connotations of caring for and being aware of others' needs. It implies mutuality and a willingness to be supportive of others. In recent times also, 'socially responsible' has become a favourable business epithet, which suggests a sense of duty of care towards the community in which an entity operates. With the publication of a draft *Code of Social and Family Responsibility*, the National Government attempted to define and inculcate values at an individual level which had not previously been the business of the state, and to commandeer the value we call 'responsibility' primarily as an economic tool in the process of minimising welfare payments. It is an expression of a values climate increasingly fostered by late twentieth-century governments in which self-reliance is desirable, even necessary, even required. Citizens must now save for their own health, education and retirement needs, minimising their expectation of state support. The code, described in January 1998 by Roger Sowry, the

Minister of Social Welfare, as a concept that would 'lead the world' (Bain, 1998, cited in Boston, 1998: 2), was indeed radical in its presumptions, its intent, and its design.

The title *Towards a Code of Social and Family Responsibility* connotes comfortable images of a society united in mutual care, linked by a shared belief system and supported by caring community networks. However its language and public debut suggest a different agenda. Its opening words invite readers to agree that 'the issues concern personal responsibility, parental responsibility, caring and making time for children, upholding the law and managing money' (CCU, DSW, 1998: 1). Most of these delineations of the nature of social responsibility refer to *individual* attitudes and behaviours. The code 'sets out what society expects of people bringing up children or those receiving income support' and 'we are responsible for looking after ourselves' (CCU, DSW, 1998: 1) are, similarly, statements which set out moral baselines with an external perspective, speaking forcefully to the individual. Indeed even the Prime Minister, in her speech to Parliament on 17 February 1998, signalled that the Government's intention was to shift the emphasis from individual rights to individual responsibilities (Herbert, 1998: A1): 'the answers sometimes lie elsewhere in the complex areas of personal and family relationships, responsibilities and self-discipline'. While the notion of social responsibility is contentious in the sphere of business and corporate ethics, it is even less straightforward to define in the context of a codifiable social contract (Boston, 1998).

The concept of a social code could be viewed as a creative response by the government to several issues of public concern. Very likely it was to be enshrined in law to establish, in Jenny Shipley's words, 'pegs in the ground in terms of what is fair' (Herbert, 1998: A1) to demonstrate 'what can reasonably be expected from each of us and from the government on behalf of all taxpayers'. To the extent that the code represented an unprecedented governmental exercise in seeking and even managing public opinion, close attention to the assumptions underlying it is warranted. In particular, the government's principal aims are important to assess. These were to expose all New Zealand households to the issues in the draft code and to invite response from a representative range of people in preparation for, at the very least, establishing priorities for social policy.

At the end of this process through which the government had hoped to initiate some movement in social values, the Response Analysis Team (RAT) Report was published in October 1998, accounting for all of the 94 303 public responses. Significantly the report was available without charge only in electronic format, a communication event which has implications in regard to the availability of valuable governmental information to society (Sandee, 1998). It became evident at this time that the government intended to accord the report a small degree of

credence by saying that policy analysts would use it as a resource (DSW, 1998, conclusion [online]) and that some limited legislative initiatives would arise from it. This is a somewhat muted echo of the enthusiasm with which Roger Sowry heralded it in January 1998, saying that it would 'radically change the direction of social policy for decades ... This will be the framework for all future development and delivery of social policy' (Boston, 1998: 2).

3   The Research Project

Research Aim

Communication theory and emerging research on issues such as knowledge gaps in communities, information access and information poverty formed a springboard for our research. For example, communication flow in the context of governmental practice is normally one-way. The code was a step into quite new 'information campaign' territory, in that feedback was invited from the public. What degree of interest would be generated by the code? What could be discerned about the relationship between the government and the people for whom it speaks, from this experiment in two-way mass communication? In particular, could the outcomes of the government's desire to 'influence behaviour' be quantified and assessed, and how well would the draft code work in leading a nation towards new values and behaviours, as the government hoped it would do? These were some of the questions that formed a basis for this research project.

Methodology

Data were gathered using telephone interviews of persons listed in the telephone directories for Auckland, the largest city in New Zealand, and Palmerston North, a smaller provincial city in the North Island. Selection of respondents (N = 945) was random on the basis of one telephone number from each page in the directory, and calls were made throughout the day and evening each day of the week in the period after the government's release of the draft code discussion document. At this time, media interest was high; occasional reports also appeared referring to the government's wish to have written response forms sent in to the DSW by members of the public. The code was thus an issue of significant public interest at the time of our survey.

We especially wished to obtain data on who was reading, discussing and sending in response forms to the DSW: was the government's main target group, beneficiary parents, being engaged by the process? Accordingly, our interviewers first asked: did you receive a copy of the code? Did you read it? How much of it?

Have you sent in a response form? Have you discussed the issues in the code with anyone? If so, with whom? Answers to these questions were subsequently cross-tabulated using SPSS with demographic data obtained from questions asked at the conclusion of the interview, on education, ethnic group, income, receipt of benefits, age, dependants living at home, and gender. We also used five-point attitudinal scales for responses to questions on: the code as expenditure of public money, as a means of obtaining the public's views on social policy issues, and as a means of encouraging people to think about their family responsibilities. This last question was particularly significant in terms of our aim of testing the extent to which the government's desire to change attitudes and influence behaviour was successful.

Discussion

Two intentions of the government's proposed *Code of Social and Family Responsibility* were:

- that the draft code should be available to and discussed by all households, so that 'the views of as many people as possible' (CCU, DSW, 1998: 5) could be included in the process; and

- that the proposed code would 'influence behaviour' (CCU, DSW, 1998: 5).

It was clear then that at the very least it would be desirable for our survey to assess the extent of household access to the information in the draft code, how much it was discussed, the nature of the response the DSW did receive, and attitudes to the process. The two stated aims indicate that the government was evidently keen to conduct an inclusive process, and to initiate values change through the objectives of heightened public awareness and community discussion. Findings of particular relevance to these aims are summarised as follows.

Did you receive a copy of the code?

The government intended to place a copy of the draft code in every New Zealand household (1.4 million copies were allegedly delivered) so it was notable that a somewhat low 70 per cent of the sample definitely recalled having received it. It may be that some people were not motivated to locate the plastic-wrapped booklet amongst similar unsolicited mail such as advertising brochures, and therefore were not aware of having received it. Also, delivering a booklet to a household is no guarantee that everyone there will read it.

It was striking that there was a much higher rate of delivery failure of the draft code booklet in Auckland than in Palmerston North (34 per cent compared to 11 per cent). This suggests that any subsequent reading of and response to the

document took place among only two-thirds of Auckland's population. Given the extent of interest in the code as indicated by a persisting media commentary on it, it is likely that discussion of the issues did occur in a general way in the course of people's daily lives. However it is clear that the draft code booklets and the enclosed response forms were not available to, or not located by, a significant proportion of Auckland householders.

Importantly also, in Auckland younger people and those on lower incomes were less likely to receive a draft code. It may be speculated that factors related to less favourable housing played a part here; in flats or overcrowded living conditions, even if one document was delivered to a household it may not have been 'received' by all of the adult occupants. Furthermore, motivation to read material largely concerned with child-rearing and family matters may be less apparent among the young. Knowledge gap studies indicate a tendency for motivation and interest - self and social - to play a strong role in knowledge acquisition (Genova and Greenberg, 1979; Wanta and Elliott, 1995). The utility of information to oneself or one's interpersonal networks could have been a de-motivating factor for young, non-caregiver individuals in this instance. The fact that women were far more likely (p< 0.001) to report definitely receiving the draft code (64 per cent who reported 'yes' were women, while 36 per cent were men) supports the notion that an interest in caregiving may have motivated people to locate the booklet, and subsequently read it.

Education also appeared to play a role in access to the booklet: whereas 72 per cent of respondents with some tertiary study or higher qualifications reported having received the draft code (28 per cent saying that they either had not received it or were not sure), a slightly lower proportion of those with up to sixth form certificate qualifications (68 per cent) reported that they had received the code, with 32 per cent claiming that they had not or were not sure that they had received one. This finding may reflect classic knowledge gap studies which have shown that higher education (or socio-economic status) is linked with increased motivation to locate and make use of relevant information (Tichenor, Donohue and Olien, 1970), and thus knowledge gaps may widen even where information is released with the intention of narrowing gaps.

How much of the draft code did you read?

Of those (N = 685) who gave a positive response, 56 per cent said they had read at least half of the draft code, while 44 per cent said they had read under half or none of it. This majority is presumably somewhat reassuring for a government whose aim was to generate an active interest in the idea of a code. It is noteworthy that readership was found to be associated with sending in a response form and with discussion; engagement with the text appears to have initiated a process of active interest in the issues. Of those respondents who said they had

read all of the code, there was a strong likelihood (p< 0.001) that they could recall some of the issues in it.

Did you send in a response?

In the data from Auckland and Palmerston North in May 1998, 11 per cent of our respondents sent a response form to the DSW. The government had hoped for a response rate of 10 per cent of the 1.4 million documents sent out, and ultimately reported in October that the official number of responses was 94 303, a rate of seven per cent. It may be that the somewhat higher response rate in Auckland and Palmerston North than in the nation as a whole reflects an urban populace more actively engaged in communication networks, more exposed to media comment, or more inclined to participate in decision-making processes.

The RAT Response Report (DSW, 1998) also noted that 'a clear majority of responses came from individuals and households' in the nation as a whole. This too was evident in our data: 46 per cent responded as individuals, 49 per cent as households, and only five per cent as groups. The pattern is repeated in our data for discussion of the issues (see following section) where it was found that people were much more likely to talk about the code with a partner or family than with groups outside the household.

Those who returned response forms to the DSW were far more likely to have read a good deal of the draft code (91 per cent had read at least half of it) than the non-returners (52 per cent).

Did you discuss the issues in the draft code with anyone else?

An important government goal stated in the draft code, articulated by key ministers at the time of its release and reiterated in the RAT Response Report, was to encourage discussion of the 11 issues and thereby increase public awareness. A desirable consequence of this, and therefore seen by the government to be linked in a causal relationship, was at the very least an initiation of attitude change. The Minister of Social Welfare, Roger Sowry, had said early in the year that the exercise 'was primarily about changing attitudes' (Young, 1998). It seems likely that this change was expected to arise from the processes of reading and discussion. It was therefore important to assess these activities.

Of the 65 per cent of survey respondents who said they had talked about the draft code issues with other people, 21 per cent had done so with their partner, 26 per cent with their family, and 25 per cent with friends. Figures are much lower for workmates (12 per cent), community group (two per cent), and church group (one per cent) or other (one per cent). Discussion was thus more likely to take place in the household context or with close acquaintances rather than within other

groupings or networks. It is possible, therefore that the type of discussion which took place was influenced less by a range of diverse opinions which could produce attitude change, than by a kind of consonance in which individuals' views would be reinforced.

Recall of the issues

Thirty-eight per cent of our telephone survey respondents were able to correctly recall one or more of the 11 issues presented in the booklet. The issue most easily recalled was 'looking after our children' (23 per cent), followed by 'getting children to school ready to learn' (12 per cent), and 'keeping ourselves healthy' (nine per cent). It may be speculated that more people could recall the issue of caring for children because that was the first issue presented in the code, or because, of the 11, five were concerned with children; and children were a focal point of the visual imagery on the front cover of the document. Thus awareness may have been connected to the weighting given in the document to issues surrounding children's welfare and their future.

Recall or awareness was much more likely ($p< 0.001$) among those who had completed the process of writing and sending in a response form. More than double the proportion of 'respondents' (74 per cent) were able to name issues in the booklet than those who had not responded or were not sure whether they had returned a response form (34 per cent). The conscious effort to formulate suggestion, opinion or comment in written form appears as a consequence to have increased participants' recall. In effect, then, the response forms received by the DSW analysts came from a more knowledgeable group, comprising people who were more aware of the contents of the proposed code than the non-returning section of the sample.

Attitude to the consultation exercise

A high proportion of respondents disapproved of the government's strategy. When asked 'was this a poor or a good way to discover community views on social and family responsibility', 58 per cent said it was a poor or very poor way.

Given the implied agenda of requiring more of beneficiaries in return for their welfare payments, and the evident agreement of media commentators that the code was, in effect, a means of justifying a reduction in social spending, the survey also assessed the extent of people's agreement with this media view. Seventy-three per cent felt that the government was pressuring beneficiaries to some extent, a greater extent or very much.

Has the process encouraged you to think about your own personal family responsibilities?

More than three-quarters (78 per cent) of the sample reported that the draft code or the public debate on it had encouraged them to think about their own family responsibilities only a little or not at all. Of this group, 64 per cent responded that they had not thought about these issues at all.

It might be anticipated that the discussion and writing connected to the sending in of a response form would be associated with more thought about one's own responsibilities. Significantly the data show otherwise. There was a high likelihood (p< 0.001) that even those who sent in a response form thought only a little or else not at all about their own responsibilities as a result of the exercise: 70 per cent of these respondents reported thus. This proportion is not dissimilar to that for the respondents who did not send in a form to the DSW: of these less involved members of the public, 78 per cent reported little or no change to their thinking about personal responsibility issues. It appears, then, that the government's desire to change attitudes and behaviours was fulfilled to a lesser extent than the code's authors had hoped.

4   Conclusions

It is possible to see the Shipley government's proposed code and the attempt at a consultative methodology as a praiseworthy attempt to involve the public in important matters of social policy, and as showing recognition that an interactive process is desirable in democratic decision-making. In asking the public to provide written feedback which would be read and processed by a group of social policy analysts, the government heightened the importance of the issues and ensured that media attention would also assist in focusing people on reading and discussion. The findings of our study show that those respondents who read the draft code and returned the response form were more likely to have discussed the issues and were better able to recall them. The interconnection of reading, response, discussion and recall seems to have been a benefit of the participative process in this instance.

In terms of obtaining feedback, however, the 'returners' of response forms to the DSW were a distinctive group rather than a representative one. They were more likely to be have read more of the document and discussed it; they were better able to recall issues in it; they were somewhat better off than others, and were more likely to be women. They were more favourable to the code process, more favourable to this use of public money, and were more inclined to reflect on their own responsibilities. This was the group of people from whom the Response Analysis Team compiled a report to the government and whose opinions could

have been used as the basis for future social policy. In addition, in information campaign terms, these members of the public most active in the interaction were less likely to be those in need of it, from the government's viewpoint.

In a sense one could also regard the code exercise as a creative governmental response to the challenges of initiating change, and even an awareness that access to information is a significant equity issue of concern to decision makers and communicators. Knowledge gap studies have shown that a variety of media and messages matched to the needs of target groups may be advisable in information campaigns (Frankenberger and Sukhdial, 1994). Yet the only use of other media and channels in the case of the New Zealand draft code was a series of television and newspaper advertisements which were run in May 1998. The advertisements featured various calls to 'dob in' benefit fraudsters, echoing the notions of entitlement and fairness that were woven through the code. Thus it was more likely to be the interests of 'the taxpayer' which were being served by these advertisements, a factor which casts further intriguing light on the government's motives.

The code was doomed because since it was about changing attitudes, it required a process that could unfold only over a long period. Second on the list of four government aims for the code was to 'influence behaviour' (CCU, DSW, 1998: 3), to be achieved through family and community discussion. The Prime Minister reflected that 'government hopes it will lead to people thinking how they ... can change in ways that will make a difference ...' (CCU, DSW, 1998: 3); and the Minister of Education, Wyatt Creech, was to say in later weeks that the proposed code was intended to 'develop common sense norms as to the role of parents ... the debate around the code is designed to give them a push in the right direction' (Creech, 1998: 6). It is difficult to understand how such significant change could be effected within a short timeframe and by the mechanism of an unremarkable looking document containing a good deal of small-print text. A *NZ Herald* editorial observed ironically, after the code appeared to be laid to rest in October 1998: 'Shipley might have hoped that if the Code never acquired formal status the exercise would at least have left a lasting impression on popular values' (*NZ Herald*, Editorial, 29 October 1998: A14).

While the attempt was remarkable in its vision and scope, the code appears to have failed to involve the public effectively or to have changed it significantly. At issue may be that a single communication transaction such as this one cannot achieve change of itself and in a short time. Governments are not immune from a preoccupation with the 'quick fix' solution, a pre-millennial phenomenon noted in the popular press as in other literature. Those in government are more vulnerable than ever to the instant scrutiny of media processes and thus electoral

displeasure, while carrying the weight of public expectation to right all the imbalances within the three-year term of office.

The findings of the present study suggest that the governmental aim of attitude change, to be initiated through heightened awareness and discussion, did not appear to be achieved. Over three-quarters of the respondents said that the process had caused them to reflect on their family responsibilities only a little or not at all. A principal barrier may have been that parenting values, notions of self-sufficiency or entitlement, individual and family responsibility or dependency endure very deeply within family and culture.

That governments can readily legislate for private behaviour, or that a nation can be convinced in the space of weeks and months to turn its back on deeply ingrained welfare traditions, and fall in behind a *Code of Social and Family Responsibility*, would seem naive ideas.

The title of the code was a misnomer. It was less about social responsibility than it was about shifting a mindset of rights and creating an attitude of reciprocity in regard to state support. This shift would not occur through the provision of information per se. If the code was indeed more concerned with individuals, it is perhaps unsurprising that people discussed the issues mainly as individuals within families, not as members of community groups; and were more likely to send in response forms as family members or as individuals, not as groups, a trend also noted by the RAT and claimed as a benefit because 'ideas were not killed at birth as so often happens in group discussions' (DSW, 1998, online). Roger Sowry, Minister of Social Welfare, sought justification for the code process by describing it as a 'massive public meeting' (Milnes, 1998); yet it was largely conducted in private. To use the parlance of the age, it was a virtual meeting, but one to which not everyone received an invitation, and one where the actual government agenda was concealed.

Philosopher John Dewey reflected in 1916 that people 'live in a community in virtue of the things which they have in common; and communication is the way in which they come to possess things in common' (cited in Hindman, 1998: 27). The limited communication generated by the New Zealand government's draft code did not assist in truly capturing or strengthening the voice of the community, or in 'creating commonness' in the understanding that 'communication ... is the most crucial component of strong democracy' (Hindman, 1998: 27). A quotation highlighted on the verso of the draft code cover, "'It takes an entire village to raise a child". Traditional proverb', is ironic in the light of these reservations.

References

Boston, J. (1998), The Idea of a Social Responsibility Act for Aotearoa New Zealand, paper presented at the conference *Social Responsibility: Whose Agenda? Choices for the Future*, Massey University, Albany Campus, Auckland, February.

Coney, S. (1999), 'Social capital destroyed by shifting onus on welfare', *Sunday Star-Times*, 17 January, C4.

Corporate Communications Unit, Department of Social Welfare (CCU, DSW) (1998), *Towards a Code of Social and Family Responsibility: Public Discussion Document*, Wellington.

Creech, W. (1998), 'Get real about responsibility', *Education Review*, 25 March, 6.

Department of Social Welfare (1998), The Response Report: The Response Analysis Team, Available online www.dsw.govt.nz. October 1998.

Editorial (1998), 'Let the state take note', *NZ Herald*, 29 October, A14.

Frankenberger, K.D. and A.S. Sukhdial (1994), 'Segmenting teens for AIDS preventive behaviors with implications for marketing communications', *Journal of Public Policy and Marketing*, 13, 133-50.

Genova, B.K.L. and B.S. Greenberg (1979), 'Interests in news and the knowledge gap', *Public Opinion Quarterly*, 43, 79-91.

Greenberg, M.H. (1996), *Wisconsin Works: Significant Experiment, Troubling Features*,: Center for Law and Social Policy, Washington, D.C. Available: http://epn.org/clasp/clwisc.html.

Herbert, P. (1998), 'Nanny state seeks moral mandate; no need to tell us say parents', *NZ Herald*, 18 February, A1.

Hindman, E.B. (1998), 'Community, democracy, and neighbourhood news', *Journal of Communication*, Spring, 27-38.

Massey University College of Education Policy Response Group (1998), Submission on the Public Discussion Document *Towards a Code of Social and Family Responsibility*.

McKenzie, A. (1997), 'Workfare: the NZ experience and future directions', *Social Policy Journal of New Zealand*, (8), March, 97-110.

Milnes, B. (1998), Government looking at issues from code responses, Press release from the office of the Hon. Roger Sowry, 29 October.

Sandee, R. (1998), [Review of *Information Inequality: The Deepening Social Crisis in America* by H.I. Schiller] [On-line]. *Information inequality: a reflection*. Available: <http://slisweb.lis.wisc.edu/rsandee/inequali.htm> [1998, February].

St. John, S. (1997), 'The measure of success for "Beyond Dependency": aims, methods and evaluation', *Social Policy Journal of New Zealand*, (8), March, 61-6.

Tichenor, G.A., P.J. Donohue and C.N. Olien (1970), 'Mass media flow and differential growth in knowledge', *Public Opinion Quarterly, 34,* 159-70.

Wanta, W. and W.R. Elliott (1995), 'Did the "Magic" work? Knowledge of HIV/AIDS and the knowledge gap hypothesis', *Journalism and Mass Communication Quarterly, 72(2),* 312-21.

Young, A. (1998), 'Government must be ready for avalanche of answers', *NZ Herald,* 26 February, A20.

Mutual Obligation: What Kind of Contract is This?

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1 Introduction

Mutual obligation has become a key word in contemporary social policy. The obligation to make an active contribution to society is set against what is portrayed as passive welfare dependency. Obligation is seen to be a condition of citizen rights, and, thus, obligation is set against ideas of automatic entitlement. While defenders of social citizenship in T.H. Marshall's sense of this term generally reject what they see as this substitution of obligation for rights in social policy, the idea of mutual obligation commands at this time wide consensus amongst political leaders. In the Australian case, this includes leaders of both major political parties (Howard, 1999; Swan, 1999) as well as one of the most prominent Aboriginal political leaders, Noel Pearson (Rothwell, 1999). Such consensus on a value would be unlikely to occur without there also being a convergence on 'mutual obligation' in the agenda-setting social policy literatures, as indeed there is. Third Way or revisionist social democrats (Giddens, 1998), the new paternalists (Mead, 1997) and contemporary communitarians (Etzioni, 1995) are all offering intellectual defences and specifications of the idea of mutual obligation.

Mutual obligation is an idea that seems to capture an article of populist commonsense: that individuals should make a contribution to society in exchange for the support society gives them. This reworking of the idea of social contract is brought to bear especially in contemporary social policy discourse on welfare recipients. In populist mutual obligation rhetoric as used by most politicians, for example, it is taken for granted that the focus should be on the welfare recipient's obligation to 'society', not the other way around. This translates into the idea that the welfare recipient should either work for welfare, or, receives welfare on condition that s/he seeks work.

Political rhetoric is one thing, and it should not be confused with policy. When we turn to the policy rhetoric of mutual obligation, not surprisingly, we find a denser and richer set of specifications of mutual obligation than is suggested in the populist-political rhetoric. It is at this point that we find the rhetoricians of mutual obligation having to think seriously about its policy specification and

implementation. In this paper I want to suggest that, as policy, mutual obligation is an idea that has a substance and complexity which deserve respect in such critical evaluation as is given to this idea. Here I suspend the work of critical evaluation in order, first, to inspect the terrain of mutual obligation. The work of critical evaluation will have to come later.

If the policy of mutual obligation is effectively implemented, it represents a serious effort to use the authority and resources of government, as well as the commitment and creativity of good case managers, to compel individuals to become self-reliant. This is a peculiarly late twentieth-century version of the paradox Rousseau offered in *The Social Contract*: that individuals have to be forced to be free. Instead of a nineteenth-century distinction between those who would be self-reliant if they could be (the 'deserving' poor) and those who choose to be wastrels, spongers, thieves and vagrants (the 'undeserving' poor), the new discourse of self-reliance is non-discriminatory and egalitarian in its assumption that each individual would prefer to be self-reliant if they could be. It is a discourse informed by the disciplines of sociology and psychology because it assumes that an individual preference to be self-reliant cannot become effective if the individual in question lacks the training, disciplines, skills and worldly experience on which effective self-reliance depends. In this sense, self-reliance is not merely a moral disposition, but a reciprocally reinforcing bundle of competences, skills and psychological capacities. The latter fundamentally depend on a self-regard which has been socially cultivated and supported.

The policy of mutual obligation is a pro-government orientation because it assumes that government is responsible for the development of this capacity for self-reliance in individuals whose welfare dependency is taken to indicate they lack this capacity. Advocates of this policy are not only pro-government, but are also serious about how such a policy might be effectively implemented. Such advocates make it clear that effective implementation means a government that is willing to make the necessary degree of expenditure to make a program an effective intervention. It also means a government that commits to evaluation of the program so that information is generated about how the program might be improved and made more effective. Finally, effective implementation depends on giving this process of social reform time to work. It takes time to get new systems and approaches up, time to permit the new learning that is involved in such innovation, time to evaluate and disseminate, and time to 'mainstream' the efforts of the innovators and entrepreneurs within the new reform process.

In discussing the idea of mutual obligation, then, we need to make a distinction between broad rhetorical usage of this idea, on the one hand, and the more careful policy specifications of this idea on the other. Generally, the latter turn out to be a set of recommendations for an elaborate as well as costly social policy. In this sense, the policy advocates of mutual obligation represent a new argument for

what it is that government can and should do that the market cannot do. These advocates are 'new paternalists' (see Mead, 1997) because they argue government has an active role in the re-shaping of the behaviour of welfare recipients.[1] These advocates are also highly literate in what it takes to specify, implement, and evaluate policy.

The new paternalists reject conservative pro-market recommendations for 'welfare reform', namely, get rid of welfare, so that people have no alternative other than to work and support themselves. They reject this idea because it assumes those who have been dependent on welfare already know how to be self-reliant. The new paternalists reject neo-liberal market models of individual choice which assume individuals are already free to choose in self-regarding and socially responsible ways. Instead they assume that society has to become present in how the capacity for self-regarding and socially responsible choice is developed and sustained. For reasons of family history, poor schooling or generally disadvantaged backgrounds, individuals and the communities they comprise can lack the 'moral education' (a Durkheimian term used by Etzioni, 1995) necessary for the development of this capacity. This being the case, then, agencies, which act on behalf of society, need to step in and offer the direction and structure that permit individuals to acquire the capacity and skills for self-regarding and socially responsible choice. Agencies which act on behalf of society are those which are directed by the public policy of governments as this is expressed in administrative guidelines and contracts for publicly funded service.

The policy rhetoric of mutual obligation, then, can be said to represent a rediscovery of the social in the face of the specific kind of market failure that occurs when, for whatever reason, individuals cannot choose in self-regarding and socially responsible ways. However, as we shall see this is a particular conception of the social, one that is radically individualised.

In what follows, I first specify the distinct components of the value complex of mutual obligation. Secondly, I discuss the contractualist features of mutual obligation when it is translated into a service delivery relationship between publicly funded service providers and individual clients. Thirdly, I enquire into the distinctive kind of paternalism that is involved in this particular neo-Durkheimian version of Rousseau's paradox: the necessity of forcing individuals to be free.

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1   'It is a conservative policy in that it focuses on changing how the poor live rather than on improving their benefits or opportunities. It seeks order rather than justice, and social critics might call it blaming the victim. But paternalism is also a liberal policy because it is pro-government. Far from reducing the welfare state paternalism expands it.' (Mead, 1997a: 11)

2   Mutual Obligation as a Cluster of Values

The idea of mutual obligation indicates a cluster of values which centre on the obligations of adult individuals to be self-reliant, where it is assumed that, by being so, individuals are making a contribution to the society from which they derive a range of benefits and supports. There are five specifications of this idea of self-reliance which, taken together, bring out the particular historical nature of this version of self-reliance. These are in turn: the rejection of dependency; a non-discriminatory conception of the self-reliant individual; the conception of the individual as the site of the social; the pairing of individual freedom with social obligation; and, finally, a general association of self-reliance with effective participation in a market economy.

The rhetoric of mutual obligation usually begins with a rejection of dependency. Dependency is associated with both passivity and a long-term, self-destructive reliance on unearned economic support, or 'welfare.' Self-destructive because long-term dependency of this kind for adults cultivates a particular social psychology that makes it virtually impossible for individuals to be sufficiently self-regarding to do what is necessary to move off welfare in the direction of self-reliance. Dependency means that individuals do not develop a sense of self-worth or self-esteem as well as a whole range of skills and competences permitting them to get employment and, generally, to assume membership of society. Dependency, in this way, is defined as incongruent with citizenship, where citizenship is assumed to reside in the kind of active membership of society that self-reliance makes possible through stable patterns of employment, domestic partnership, parenting, and involvement in voluntary associations.

The wholesale condemnation of dependency for adults is something quite new in the history of modern capitalist societies as Fraser and Gordon (1997) have argued, and it represents a distinctive feature of post-industrial social formation. Until very recently, it was not just socially legitimate but normative for wives to be dependent on husbands as the breadwinners for the household/family. This was reflected in social security policy where the widow's pension, for example, exemplified the state's readiness to take over this breadwinning function in cases where women lacked a husband. Now, when women lack husbands, they are expected to become economically active and earners in their own right.[2] At the

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2   In the American case, the new paternalists argue that it was the increased rate of dependency of welfare mothers that provoked 'policies to promote employment' (Mead, 1997b: 42). Mead comments: 'Thus policies to promote employment were inevitable. They might have taken many forms. Congress first enacted welfare work programs in the early 1960s. These programs were voluntary, offering to help welfare mothers to work without requiring them to do so. But few welfare mothers participated or took jobs on their own. Accordingly, later programs applied increasing pressure to require participation and work.' (Mead, 1997b: 42-3)

same time, postcolonial standards of legitimacy have banished notions of some races being less evolved and, thus, more dependent on the leadership and benevolence of civilised races. As Fraser and Gordon summarily put it: 'With all legal and political dependency now illegitimate, with wives' economic dependency now contested, there is no longer any self-evidently 'good' adult dependency in postindustrial society' (1997: 135).

The second specification of the rhetoric of mutual obligation follows from the first, and it resides in its non-discriminatory character. All adult individuals, regardless of their differences, are expected to be self-reliant. In particular, women who were regarded in terms of the modern industrial gender division of labour as passive and dependent are now expected to be self-reliant. The same expectation is made of Indigenous people: they are to become self-reliant both as individuals and as communities.[3] Adults with disabilities are also expected to become economically active, the level and nature of their disability permitting this.

The third specification of the rhetoric of mutual obligation concerns the status of the individual. In this rhetoric, the primary dynamics of social life are played out in terms of individual behaviour, motivation, competences and skills. Where economists derive the dynamics of the market economy from individual choice, considered as an unproblematic feature of individuality, in this case, the whole domain of individual choice is problematised. It is not enough that in a formal sense an individual is capable of exercising a preference or choice. Rather, the emphasis switches to whether the individual is morally educated in ways which make him/her capable of the kind of choice that can sustain both him/herself and society. This is the neo-Durkheimian component of the rhetoric of mutual obligation. Durkheim (1964) argued that the voluntary dimension of contract (choice) can work on behalf of social order only to the extent that it is informed by a normative adherence to the behaviours on which social order depends.

In the rhetoric of mutual obligation, the social is viewed as immanent in individuals. Thus, whether society is well ordered or not depends on how these individuals are functioning. If society is reduced in this way to individual psychology it is only because individual psychology itself has become imbued with the social. Thus, social intervention of various kinds now targets the individual. Institutional design is conceived and implemented in terms of individual motivation and capacities. The institutional and corporate features of society are no longer assumed to have an existence independent of how individuals think and behave. It is this radical individualisation of social life that

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3   In the American case, it is the association of poor Afro-Americans with welfare dependency that assumes iconic status in welfare discourse. It is because of the non-discriminatory character of mutual obligation that Mead (1997a: 22) calls these paternalist programs 'a postracial social policy'.

explains the salience of the contract metaphor in contemporary rhetoric. Because how individuals think and behave are the driving forces of how their relationships, connections, interdependencies and institutional life operate, it becomes supremely important that individuals 'contract into' their social engagements and commitments. It is on the extent and quality of individuals' willingness to assume such obligation that social order depends.

The radical individualisation of social life that is presupposed in the rhetoric of moral obligation helps us to understand the fourth specification of this rhetoric. Namely, mutual obligation means that individuals understand that they are obligated to contribute to and to sustain society, and that they cannot expect society to contribute to and to sustain them without their assuming this reciprocal obligation. As Amitai Etzioni puts it, deploying a communitarian rhetoric of mutual obligation: 'At the heart of the comunitarian understanding of social justice is the idea of reciprocity: each member of the community owes something to all the rest, and the community owes something to each of its members' (Etzioni, 1995: 19). One of the most difficult features of the rhetoric of mutual obligation for unreconstructed social democrats is that the reciprocity or mutuality involved in the obligation seems always to be sheeted home to what it is individuals are expected to do for society, not the other way around. Or, to refer to arenas where government is already positioned as the provider of funds or income to individuals or groups, the contractual specification and sanctions of what is owed in this relationship seem to be directed at what these individuals or groups do, not to the adequacy of the level or nature of support provided by the government.

This is not an entirely accurate perception of how the rhetoric of mutual obligation works because, in fact, the specification of obligation on the government side is made in terms of how the publicly funded service in question is provided to individuals. That is, on the government side, the specification of obligation is made at the level of service provision. Thus, there is an elaborated set of bureaucratic, professional and technical discourses that bear on the conduct of case management as the method of delivery of service to individuals. If the implementation of the government's side of mutual obligation is specified in terms of service provision, it is because policy, as Lawrence Mead (1997a: 21) proposes, has become 'administrative' (see also Bardach, 1997, who makes the same point in a way that resonates with new public management discourse). Because social policy now works through individuals, it is dependent more than ever before (Mead, 1997a: 21) on how it is implemented by those responsible for the direction, monitoring and supervision of the behaviour of these individuals.

The societal subject of this relationship of mutual or reciprocal obligation with the individual remains a shadowy figure. If the Keynesian welfare state assumed a hierarchical, centralised presence in people's lives, in this case, there is no

comparable corporate presence. The state is 'hollowed out' because, firstly, the social becomes immanent in individual psychology and, thus, individualised. Secondly, the state's presence as government becomes an indirect one at least from the standpoint of the individuals whose welfare is at stake. For these individuals, government is mediated by government-funded non-state agencies. The client will be more aware of a case manager's effort in the governance of his/her individual case than s/he will be of the larger role of government in framing this policy domain (for more suggestion as to the contemporary salience of this distinction between government and governance, see Rhodes, 1997).

If government makes individuality possible by forming and developing the capacities to be an individual (see Yeatman, 1997), the presence of government is delegated to a host of agents of governance. These include schools, families, and non-government welfare agencies. It is for these reasons that 'the community' is invented to represent this now nebulous sociality that makes individuality possible.[4] Individuals are exhorted by the advocates of 'the community' to be aware of what it is that they owe to all the other individuals taken together to constitute this community. The exhortation is all the more urgent now that the social is seen to depend on who individuals think themselves to be, indeed, specifically, on whether their individualism is healthily or unhealthily narcissistic.

The fifth specification of the value complex of mutual obligation resides in the association of the kind of individuality that can assume mutual obligation, that is, an individuality which is socially connected and socially responsible, with economic self-reliance. Responsible individuality on this approach depends on active participation in the market economy, and, specifically, on earning sufficient to achieve a base-line of economic independence. Increasingly, governments are suggesting they are prepared to redesign social policy so as to provide income support that tops up low wage earning activity rather than to continue a social security-tax regime which makes dependence on public income support more attractive than low-wage earning. The emphasis on self-reliance is the feature of the discourse of mutual obligation that marks its continuity with the regularly

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4   To be sure, communitarians such as Etzioni (1995) and Bellah (1995) revert to Durkheimian formulations of the social as something that is both transcendent to and independent of the individuals whose well-being it makes possible. Thus Bellah declares against the 'contractualist' and expressivist traditions of radical American individualism: 'What both types avoid is the notion that there is any objective normative order governing the relationship, any transcendent loyalty above the wishes of the individuals involved, any community that is really there independent of the wills that compose it' (Bellah, 1995: 49). However, this reversion to a corporatist conception of the social is an exercise in nostalgia which is declared in the use of nineteenth-century concepts of voluntary association, civic virtue and the family to give substance to the idea of community.

recurring and traditional populist-capitalist themes of individualistic self-help and self-improvement (see Lasch, 1995).

3   The Contractual Nature of Mutual Obligation in the Delivery of Public Policy

The most evaluated and obvious instance of the contractual nature of mutual obligation is what American public policy calls 'workfare', namely the requirement of individuals who receive public income support that they not only attempt to find work, but undertake activities which enable them to get employment. These activities can range across work experience of various kinds, the development of skills in self-presentation, the writing of resumés, and training. In Australia, this requirement is built into the Activity Agreements which individuals in receipt of employment assistance have to negotiate and co-sign with their case manager. The service provider, in turn, is obligated to provide assistance to the job seeker as such assistance has been discussed with and agreed upon by the job seeker.

It is in this contractual requirement that the job seeker be active in efforts to become effectively self-reliant that the peculiar individualism of moral obligation resides. Why is it that there is considerable effort put into contractual protocols of negotiated agreements between service providers and individual job seekers? These protocols engage clients in the evaluation of what it is they need to do to become employable, in the identification of their hopes and aspirations for work futures, and in the specification of the next steps that they need to make in order to move towards employability.

The contractual features of such protocols are three-fold in nature. The first of these is the direct engagement and participation of the individual in decision making and planning for his/her future. In this particular and limited sense, he or she gets both choice and voice. To be sure, the nature of this contract is directive: the individual client is directed to be a self-reliant individual but this cannot occur without the individual being actively engaged in this process of learning to be an individual. It is for this reason that Bardach (1997: 260-1) distinguishes between the acceptable paternalism of the case manager's direction to the individual client to get a job, and an 'inappropriate' paternalism where the case manager substitutes 'their own wisdom and sophistication for the client's.' Citing evidence from one of the most successful Californian JOBS program agencies, Bardach comments:

> The best line workers said the ... director of staff development and training were not rescuers but pragmatic counselors ... Another worker in Riverside said, 'Yes, they do face these barriers, and they can be hard. I am sympathetic,

but I do not propose solutions. At least not right away. I say,
"Yes, you are right, that's a real problem, I can see that. How
do you think you might solve it?"' (Bardach, 1997: 260-1)

The second contractual feature follows from the first. The service provider's
guidance and direction have to be offered so that, as far as possible, they work
with, rather than against, the client's voice and choice. A service provider will be
likely to offer direct feedback on whether an individual's aspirations are realistic
or no (see Bardach, 1997: 256) but

> [b]ecause nothing motivates people so much as their own
> goals, even in the most paternalist of programs, effective case
> managers respect those goals as much as possible, as long as
> the goals involve moving the recipient toward eventual
> employment. (Bardach, 1997: 255)

The second contractual feature can be summed up in the requirements of the
service delivery relationship that it be dialogical in orientation, and that, as far as
is possible, decision outcomes reflect a negotiated agreement between the case
manager and individual client.

The third contractual feature resides in the explicitness of the transaction between
service provider and client. Each is drawn into a process whereby expectations,
goals, decisions, processes and outcomes are made explicit. Mead emphasises the
critical importance of welfare employment agency staff making their expectations
of clients crystal clear: 'The effect of making expectations clear was not to repel
the clients but to involve and motivate them' (1997b: 58). Explicitness of this kind
provides a framework for the relationship on which both parties can rely.[5] Such
explicitness, also, cannot exist without being accorded symbolic expression and,
thus, not only entering into, but also underwriting the dialogical nature of the
interaction between the service provider and client.   Finally, with such
explicitness the reciprocity of the exchange is defined. Without such explicitness,
neither party could be aware of when or if reciprocity is breached by the other.

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5   Mead (1997b: 63) states that [m]ainly, case management is rule enforcement. He argues
that the discretionary features of case management are constrained by this rule-oriented
contractualist approach: 'Observers might fear that case management could be personal
in an invidious sense, that caseworkers might decide client obligations in the arbitrary
way that was common before the welfare rights era began in the 1960s. They might
demand on their own authority that clients change their lives – for instance, by avoiding
men – if they are to get aid. In today's work programs, however, discretion is limited by
program policies, which are much more explicit and detailed than they were forty years
ago. Congress or state legislatures decide which groups of recipients have to do what.'
(Mead, 1997b: 62)

The contractual features of this service-delivery relationship are real. There is some evidence (Bardach, 1997) that, when they are practised in an ethos of provider commitment to their importance, they conduce to individual clients becoming more self-confident and effective in seeking employment. It is no argument against these contractual features to point out that the service provider has the power of breaching the client, that is using the sanction of taking away their benefit if the client is deemed to have broken their side of the agreement. This does not mean that this is a one-sided contract and thus, no contract at all, for two reasons. First, to be sure, this is a peculiar kind of contract. It is a contract not between equals as is presupposed in classical market exchange contracts, but a contract between unequals where the function of this inequality is to provide a paternalistic direction to the individual who is thus positioned as the client of the more powerful party to the contract.

In the past, paternalistic relationships of service provision were not contractual in nature except to the degree that a client could exercise rights of choice and exit in buying or not buying the service in question. Client right of this kind did not enter into the internal substance of the relationship which was conducted in terms of an old-fashioned paternalism where the professional knew what was best for the client and directed him/her accordingly. When a paternalistic relationship of service provision is contractualised, it means that the individual client is invited to actively participate in how this service provision operates.   In this way, paternalistic service provision is individualised.

Secondly, there really is a reciprocal obligation built into this contract. It is not just that the service provider can sanction the client if s/he does not comply with the agreement s/he has entered into. The service provider is obliged to provide the service, although in this case the power of sanction for non-compliance is given over to the government, as the funding authority. The involvement of a more hierarchically powerful agent than the service provider in determining the provider's contractual performance further testifies to the peculiar kind of contractualism that is involved here. It is a contract between unequals, because it is oriented in terms of a paternalism that functions on behalf of the welfare of the client. In this case, this paternalism is authorised by public policy and, thus, government agency steps in to sanction non-performance on the part of the service provider.

Since many take paternalism and contract to be necessarily contradictory terms, let us look more closely at this possibility of a paternalistic contractualism. This type of contractualism is found in a number of contemporary service delivery contexts: schooling (where learning contracts is an obvious instance of a contractual protocol), disability services (individualised program planning is a contractual protocol), and, as we have just discussed, employment services.

4   A Paternalist Contractualism?

In the contexts I have just referred to, paternalism is to function on behalf of the development of an individual's capacities for self-reliance and autonomy. In short, paternalism is to function on behalf of the individual's autonomy not to sustain or foster his/her dependency. This is a peculiar kind of paternalism, and one that is contemporary in character. Historically, paternalism has been associated with the maintenance of relationships of dependence on their betters/superiors of those who were positioned as lacking the wherewithal to think for themselves. John Stuart Mill distilled the nature of this type of paternalism:

> The lot of the poor, in all things which affect them collectively, should be regulated for them, not by them. They should not be required or encouraged to think for themselves, or give to their own reflection or forecast an influential voice in their own destiny. It is the duty of the higher classes to think for them ... The relation between rich and poor should be ... affectionate tutelage on the one side, respectful and grateful deference on the other. (Mill, cited in Lown, 1990: 96)

What kind of paternalism can it be, then, that can foster individualisation? And how can paternalism be reconciled with contract? These are two versions of the same question.

Robert Goodin (1995) suggests an answer to this question in his carefully considered defense of paternalism as a means of securing the interest of individuals even if this runs counter to their freedom to choose. The kinds of example he has in mind are interventions on behalf of an individual's interest where their right to choose leads them to engage in self-destructive behaviour in instances where the decision may either be seriously detrimental to their life prospects, or irreversible (examples might be smoking, leaving school early without any marketable skills or credentials, or engaging in what is called 'problem gambling'). He (Goodin, 1995: 24) suggests that paternalism – in this case making decisions for the individual – is warranted only in such circumstances of high stakes and where it can be supposed that the individual either weakly agrees with this restraint on their choice, or will agree with it later.[6] Essentially, the rationale for such paternalistic intervention is the individual's own interest as evaluated by authoritative others where it is assumed that the individual either

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6   The example of problem gambling is a good one according to the Australian Productivity Commission's *Report on Gambling* just released (Allard and Murphy, 1999). While four out of five Australians report that they gamble, '75 per cent, including most of those who bet once a week, regard it as doing more harm than good', and '[m]ore than 90 per cent say they do not want more gaming' (1999: 1).

currently knows this to be his/her interest, or realises it was so later. As Goodin puts it: 'That is to say, public officials are engaged in evaluating your surface preferences ["choices"], judging them according to some standard of your deeper preferences' (1995: 125).

In the employment service setting, the argument made by Mead (1997a, 1997b) and Bardach (1997) is similar. Most welfare recipients want to work, this is their deeper preference, but their lack of positive work experience together with the non-work-oriented structuring of their everyday existence mean that they find it hard to act on their deeper preference.

> Why do requirements cause recipients to participate and work when simply offering them the chance usually does not? Most staff of welfare employment programs I have interviewed say that participation in a work program must be mandated to get recipients attention. Most adults on welfare would in principle like to work, but they are preoccupied with day-to-day survival. Few will make the effort to organize themselves for regular activity outside the home unless it is required. Starting to work or look for a job must also be enforced, many staff members say, because recipients are often reluctant to seek work on their own. They may want to work, but they have usually failed to find or keep jobs before, especially good jobs, and they fear to try again. Many prefer education and training because it is less threatening. It postpones the day when they must reckon with the labor market. Meanwhile, remaining on welfare is secure. (Mead, 1997b: 57)

Both Mead (1997b) and Bardach (1997) make it clear that paternalism of this kind goes along with 'high expectations' of clients which are sustained by means of a close and constant monitoring of clients, as well as 'personalized attention' (Mead, 1997b: 62) to them: '"Contact! ... Once a week, twice a week, there's no such thing as too often," said one Riverside supervisor, "it reminds them that you *care* and that you're *watching*"' (Bardach, 1997: 269, emphasis in the original).

The combination of case manager direction, care, and monitoring with the active engagement of clients in their own 'individualised' program of employment activity is not a peculiar one. It is often to be found in contemporary classroom teaching and, I would argue, characterises the early stages of postgraduate supervision relationships. Empirically, then, the harnessing of paternalism to contract in order to foster the individualisation of clients is not an uncommon phenomenon. It is a theoretically defensible policy only as long as the core premise of this contractualist paternalism holds: namely, that the agent of

government is both actually working with the deeper preferences of the client (for specification of what 'deeper' means in this instance, see Goodin, 1995: 125-9) *and* actively engaging the client in the design and delivery of his/her program of activity. It is a morally defensible policy only as long as both this premise holds *and* government commits sufficient policy effort and resources to enabling the programs concerned to be effective.

References

Allard, T. and D. Murphy (1999), 'Billions down the drain in a nation hooked on gambling', *The Sydney Morning Herald*, 20 July, 1 and 6.

Bardach, E. (1997), 'Implementing a paternalist welfare-to-work program', in L. Mead, ed., *The New Paternalism: Supervisory Approaches to Poverty*, Brookings Institute Press, Washington DC, 218-79.

Bellah, R. (1995), 'The quest for self', in A. Etzioni, ed., *Rights and the Common Good: a Communitarian Perspective*, St Martin's Press, NY.

Durkheim, E. (1964), *The Division of Labor in Society*, Free Press, New York.

Etzioni, A. (1995), 'The responsive communitarian platform: rights and responsibilities', in A. Etzioni, ed., *Rights and the Common Good: A Communitarian Perspective*, St Martin's Press, NY.

Fraser, N. and L. Gordon (1997), 'A genealogy of "dependency": tracing a keyword of the US welfare state', in N. Fraser, *Justice Interruptus: Critical Reflections on the 'Postsocialist Condition'*, Routledge, New York and London.

Giddens, A. (1998), *The Third Way: the Renewal of Social Democracy*, Polity Press, Cambridge.

Goodin, R. (1995), 'In defense of the nanny state', in A. Etzioni, ed., *Rights and the Common Good: a Communitarian Perspective*, St Martin's Press, NY.

Howard, J. (1999), Address to the 'Australia Unlimited Roundtable', Transcript, 4 May.

Lasch, C. (1995), 'Communitarianism or populism?', in A. Etzioni, ed., *Rights and the Common Good: a Communitarian Perspective*, St Martin's Press, NY.

Lown, J. (1990), *Women and Industrialization: Gender at Work in Nineteenth-century England*, Polity Press, Cambridge.

Mead, L. (1997a), 'The rise of paternalism', in L. Mead, ed., *The New Paternalism: Supervisory Approaches to Poverty*, Brookings Institute, Washington DC.

Mead, L. (1997b), 'Welfare employment', in L. Mead, ed., *The New Paternalism: Supervisory Approaches to Poverty*, Brookings Institute, Washington DC.

Rhodes, R. (1997), 'From marketisation to diplomacy: it's the mix that matters', *Australian Journal of Public Administration*, 56(2), 40-54.

Rothwell, N. (1999), 'Cape crusader', *The Weekend Australian*, 17-18 July, 21.

Swan, W. (1999), 'Two-way street to end poverty traps', *The Sydney Morning Herald*, 6 May, 17.

Yeatman, A. (1997), 'Contract, status and personhood', in G. Davis, B. Sullivan and A. Yeatman, eds, *The New Contractualism?*, Macmillan Education Australia, South Melbourne.