'Double-taxing' Indigenous business: exploring the effects of political discourse on the transfer of public procurement policy

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ABSTRACT

This article details how shifts in political discourse can reconfigure the intent, and effect the outcomes, of public procurement policy. Through critical discourse analysis of public procurement policies focused on supplier diversity in Australia, we explore how discursive struggles over policy meaning and intent can have real effects. Our findings show how the intent of public procurement policy shifted from stimulating Indigenous entrepreneurial activity to affirmative action in employment. We highlight how this policy mutation shifted responsibility for solving the intractable problem of Indigenous unemployment away from the government and corporate Australia and on to Indigenous business.

Introduction

Despite significant public programmes aimed at overcoming Indigenous disadvantage, Aboriginal and Torres Strait Islander people have health, education and employment outcomes that lag a long way behind those for other Australians. Whilst significant advances have been made in the outcomes of First Nations people in Canada, New Zealand and the United States, the situation in Australia has only modestly improved, or against some measures gone backwards (Smyllie, Scaife, and McDonald 2011; Dwyer et al. 2014). One area where there has been some progress is in entrepreneurial activity among Indigenous people (Hunter 2013, 2015). In response, Australian policy-makers have introduced public procurement policies aimed at further stimulating Indigenous entrepreneurial activity and addressing institutional discrimination in government contracting practices.

Public procurement refers to government practices of acquiring, contracting, purchasing and leasing goods and services (Thai 2001). Predominantly used as an economic tool to promote industry policy, public procurement has also emerged as a tool for governments to achieve social policy goals, enhance economic well-being, and promote gender and racial equality (McCrudden 2004, 2007; Torvinen and Haukipuro

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2018; Uyarra and Flanagan 2010). Whilst the dominant approaches of government procurement for social outcomes have tended to focus either on anti-discrimination or affirmative action in employment, many jurisdictions have implemented public procurement policies to stimulate entrepreneurial activity among marginalized groups (McCrudden 2004, 2007). These policies, referred to as supplier diversity or 'set-asides', are aimed at enhancing well-being by increasing the number of minority-owned businesses supplying goods and services to the public sector (Ram and Smallbone 2003; Ram, Theodorakopoulos, and Worthington 2007).

Building on the success of the National Minority Supplier Development Council (NMSDC) in the United States (Rogerson 2012), public procurement policies focused on stimulating entrepreneurial activity by marginalized groups have been transferred to a number of country contexts, including the United Kingdom, Canada, South Africa and Australia (Adobor and McMullen 2007; Rogerson 2012). Initially, public procurement policies in Australia explicitly drew on the United States supplier diversity model to focus on stimulating entrepreneurial activity among Indigenous people. However, over time these policies have been reconfigured to prioritize affirmative action in Indigenous employment rather than fostering opportunities for Indigenous entrepreneurs. Our research asks: how and why did Indigenous employment become the primary imperative of Indigenous procurement policies in Australia and what were the implications of these shifts?

In order to unpack how the focus of Indigenous procurement policy shifted over time, we build on the work of Ram, Theodorakopoulos, and Worthington (2007) to consider Australian Indigenous procurement policies as an instance of cross-national policy transfer (Common 1999; Legrand 2012; Lovell 2016; Mossberger and Wolman 2003). Policy transfer refers to the processes of moving policy from one system or level of governance to another (Dolowitz and Marsh 1996, 2000). We engage with critical studies that view policy transfer through the lens of assemblages, mobilities and mutations (Albrecht 2017; McCann and Ward 2012, 2013; Peck and Theodore 2012). Viewing public procurement through this lens responds to calls for studies that attend to the ways in which public procurement policies transform as they travel between country contexts (Brammer and Walker 2011; McCrudden 2004; Stone 2017).

We focus on moments of discursive contestation to explore the ways that power dynamics have reconfigured the intent and effect of public procurement policy in Australia (Dąbrowski, Musiałkowska, and Polverari 2018; Ertugal 2018). Using critical discourse analysis (Mumby and Stohl 1991), we unpack the power-laden processes involved in transferring public procurement policies in Australia. We analyse 185 texts related to the three specific Indigenous procurement policies that have emerged over the last decade: the Australian Government's Indigenous Business Exemption (IBE, May 2011), the Indigenous Opportunities Policy (IOP, July 2011), and the Indigenous Procurement Policy (IPP, July 2015). We analyse discourses circulating around these policies in Australia between 2007 and 2017.

Our findings show how political discourses reshaped public procurement policies as they moved between jurisdictions, leading to Indigenous job creation becoming enmeshed with, and ultimately overshadowing, the original intent of government purchasing focused on stimulating Indigenous entrepreneurial activity. We highlight how the neo-liberal discourses, selective use of texts, and, the privileging of some voices over others, moved responsibility for increasing Indigenous employment rates from government and corporate Australia onto Indigenous business. We contribute to the

public procurement literature by showing how policies focused on social justice can become diluted when there are shifts in the desired outcomes that government is trying to 'buy' (McCrudden 2007). We also contribute to the policy transfer literature by providing an example of 'incomplete policy transfer' and 'policy mutation', whereby the structure of policy is transferred but the intent of the policy mutates, that illustrates how policy transfer is a socio-spatial, power-laden process (Dolowitz and Marsh 2000; McCann and Ward 2013; Papanastasiou 2017).

The article proceeds as follows. The first section reviews the literature on public procurement as a tool for achieving social outcomes. The next section provides an overview of the literature on policy transfer and policy mutation. Our critical discourse analytic approach is then explained before presentation of the four key discursive junctures shaping the current meaning of Indigenous procurement policy in Australia. The article concludes with a discussion of how the discursive tactics of powerful actors have led to the mutation of intent, and dilution of impact, of Australian Indigenous procurement policy.

Public procurement to achieve social outcomes

Public procurement involves the practices of acquiring, purchasing and contracting public goods and services and has become one of the major economic activities of government (McCrudden 2007; Thai 2001). Public procurement has gained recognition as a key component of public management and administration scholarship (Erridge 2007; Snider and Rendon 2012) and is viewed as a key mechanism of New Public Governance given the involvement of non-government actors in achieving policy goals (Barraket, Keast, and Furneaux 2016). Broader research on public procurement has explored the nature of public-private partnerships (Bovaird 2006; Erridge and Greer 2002; Reeves 2008; Grimsey and Lewis 2007), its role in stimulating innovation (Edler and Georghiou 2007; Uyarra and Flanagan 2010; Uyarra et al. 2014), and its increasing use a tool to achieve social policy goals (Barraket, Keast, and Furneaux 2016; Erridge 2007; McCrudden 2007).

Public procurement policies have focused on achieving social outcomes such as addressing employment, social exclusion, and economic development of small and minority owned firms (Erridge and McIlroy 2002; Erridge 2007; McCrudden 2004, 2007). Public procurement is a seen as a tool for policymakers to increase prosperity and enhance social and economic well-being (Torvinen and Haukipuro 2018), and is often called social procurement (Barraket, Keast, and Furneaux 2016; Furneaux and Barraket 2014; Loosemore 2016) or sustainable procurement (Preuss 2009; Walker and Brammer 2009; Young, Nagpal, and Adams 2016).[1] Specifically, public procurement for policy outcomes has focused on implementing mechanisms that: (i) enforce anti-discrimination laws, (ii) promote affirmative action in employment, and (iii) stimulate entrepreneurial activity by marginalized groups (McCrudden 2004). Given that the introduction of Indigenous procurement policy to Australia was intended to stimulate Indigenous entrepreneurship we focus on this last type of procurement policy.

Public procurement policies aimed at stimulating entrepreneurial activity by marginalized groups are referred to as 'set-asides' (McCrudden 2004) or 'supplier diversity'[2] (Ram, Theodorakopoulos, and Worthington 2007). These policies 'aim to increase the number of minority-owned businesses that supply goods and services to both public and private sector organizations, either directly or as part of a wider

emphasis on small enterprises' (Ram and Smallbone 2003, 187). The widespread nature of these policies recognizes the political nature of contracting and procurement practices, and seeks to prioritize procurement from minority-owned enterprises that are often excluded in these processes (Alonso, Andrews, and Hodgkinson 2016; Hodge and Greve 2007). Research has shown that preferential procurement provides stability for start-ups and levels the playing field when competing for government contracts (Peck and Cabras 2011; Terjesen, Bosma, and Stam 2016).

The establishment of the United States National Minority Supplier Development Council (NMSDC) in 1972, which acts as an intermediary to support minority-owned business, was instrumental in shaping the global public procurement legislation focused on supplier diversity (Adobor and McMullen 2007; Ram, Theodorakopoulos, and Worthington 2007). These policy developments were introduced to 'stimulate further the development of an entrepreneurial black middle class' (McCrudden 2004, 260). Given its antecedents, policy interest in minority-owned business and supplier diversity has focused on the role of entrepreneurship in encouraging social mobility (Ram and Jones 2008). Following these developments in the United States, public procurement policies focused on supplier diversity have been developed in the United Kingdom, Canada, South Africa, Malaysia and Australia (Adobor and McMullen 2007; McCrudden 2007; Rogerson 2012). In South Africa, public procurement has been used as a tool to overcome historical discrimination and government policies and practices (Bolton 2006). In Canada and Malaysia, public procurement initiatives have focused specifically on measures to increase the participation of Aboriginal-owned businesses (McCrudden 2007). These global developments in public procurement policies focused on supplier diversity directly influenced the development of Indigenous procurement policies in Australia.

Recent research has highlighted how attempts to implement new public procurement policies have been hampered by competing objectives and expectations, as well as the lack of commitment of partners (Cinar, Trott, and Simms 2019; Knutsson and Thomasson 2014; van Buuren, Eshuis, and Bressers 2015). To overcome these barriers, researchers have stressed the importance of clarity on policy goals (Martin, Berner, and Bluestein 2007) and the need to involve a broad range of stakeholders in the policy design (Erridge 2007; Mouraviev and Kakabadse 2015). There have also been calls for closer examination of the development of public procurement policy and how it is shaped by learning and borrowing of regulatory techniques from other jurisdictions, as well as how policies change as they are transferred between contexts (McCrudden 2004; Brammer and Walker 2011). Given we explore the transfer of public procurement policy from the United States to Australia, we outline the literature on policy transfer below.

Policy transfer and policy mutation

The practice of policy transfer has risen dramatically in recent years because policy-makers have greater access to evidence-based, foreign policy insights (Evans 2009; Legrand 2012). The policy transfer literature explores how policymakers adapt and adopt policy initiatives, ideas and institutions from other countries and jurisdictions to develop policies in their own setting (Common 1999; Dolowitz and Marsh 2000). Policy transfer research focuses on both specific policy initiatives, institutions and instruments, as well as broader ideologies and ideas that act as inspiration for new

contexts (Hoye and Nicholson 2009; Korteland and Bekkers 2008). This growing body of literature has identified multiple forms of transfer (Evans 2017), including policy diffusion (Ma 2013; Shipan and Volden 2012; Zhang and Zhu 2019), policy convergence (Knill 2005; Phillips and Smith 2014), policy translation (Stone 2012) and lesson-drawing (McLaughlin 2002), as well as how policies transfer between nations (McCourt and Foon 2007; McGuire 2001), across states and provinces (Kitchener, Beynon, and Harrington 2002) and throughout local-level governments (Korteland and Bekkers 2008; Walker, Avellaned, and Berry 2011). In considering the ways in which policies from a particular time and place translate to new temporal and spatial contexts, policy transfer research focuses on the role of movement, agency and internal political dynamics in the transfer process (Prince 2010; Stone 2012).

Policy transfer has been explored in multiple domains of public management and administration including energy policy and utilities management (Albrecht 2017; Lovell 2016); cultural domains, such as public sector support for sport (Hoye and Nicholson 2009) and film (Prince 2010); local economic development (Cook 2008); and studies of public procurement (Ram, Theodorakopoulos, and Worthington 2007). For example, Ram, Theodorakopoulos, and Worthington (2007) explored the transfer of public procurement policies focused on supplier diversity from the United States to the United Kingdom, highlighting the importance of appreciating contextual differences as policies move between jurisdictions. Policy transfer therefore provides a relevant lens for examining the development of Indigenous public procurement policies in Australia given the explicit reliance on lessons from the United States and other international contexts.

To explore the processes of transfer of public procurement policy to Australia we engage with emerging critical studies that view policy transfer through the lens of assemblages, mobilities and mutations (Albrecht 2017; McCann and Ward 2012, 2013; Peck and Theodore 2012). This strand of research highlights how the policy transfer literature privileges the role of policymakers over other stakeholders (Park, Lee, and Wilding 2017) and fails to explore the power dynamics that influence the policy transfer process (Legrand 2012). It focuses on how power influences the ways in which policies 'morph and mutate as they travel' (McCann and Ward 2012, 329), revealing that policymaking is a power-laden, discursive space (Peck and Theodore 2012; McCann and Ward 2013). These studies illustrate how power dynamics may alter the nature or focus of a transferred policy and how the policy transfer process changes as the context evolves, goals shift, and actors join or leave the process (Dąbrowski, Musiałkowska, and Polverari 2018; Ertugal 2018). For example, Ureta (2014), drawing on the case of local urban transport planning in Chile, examined how the interplay of powerful individuals and rational policy guidelines shapes policy outcomes. Similarly, Albrecht (2017) examined renewable energy policies implemented across six different German states to reveal how policy mutation occurs through the action of locally embedded actors reproducing and remaking policy based on their own ideologies. From this perspective, policies 'are not internally coherent, stable "things" but must be understood as social processes' (McCann and Ward 2013, 8).

Understanding that policy transfer is a social process aligns with the emerging research focused on policy assemblages, which highlights the role of texts and discourses in shaping policy transfer process (Lovell 2016; McCann and Ward 2013; Ureta 2014). For example, Prince (2010) considered how both policy and popular discourse regarding the creative industries in New Zealand shaped successful policy transfer

outcomes in that field. Similarly, Park, Lee, and Wilding (2017) explored the communicative processes involved in the transfer of United Kingdom social enterprise policy to South Korea, highlighting the role of political processes of negotiation between government and other stakeholders. Our study attends to the discursive struggles in relation to public procurement policy transfer and implementation in Australia. We explore the different discourses that circulated around and were interwoven into procurement policy in Australia over the past decade to highlight how the interplay of different discourses and the privileging of some voices over others reshaped the policy intent and how it shifted responsibility for the policy.

Methods: critical discourse analysis of policy transfer

Heeding calls for a greater appreciation of the role of language and discursive tactics in public management and policy studies (Bartels 2013; O'Reilly and Reed 2010; Orr and Bennett 2017), we adopt a critical discourse analytic approach (Mumby and Stohl 1991) to unpack the power-laden processes involved in developing Indigenous procurement policies in Australia. Critical discourse analysis is a useful tool for analysing policy development and policy transfer processes as it recognizes ideological positions that shape public sector reform (Pennings 2010), and reveals the relative dominance of perspectives in policy texts (McGrath 2009). Critical discourse analysis is distinguished by its explicit concern with the reproduction of power relationships and revealing structures of inequality (Fairclough 2001; Fairclough and Wodak 1997). Discourses do not merely describe things; they *do* things – they produce truths and regimes of truth, which have material effects (Potter and Wetherell 1987).

Our data collection and analysis was underpinned by two understandings. First, that the meaning of texts are not pre-given but created in the 'disjuncture between dominant readings and individual interpretations' (Mumby 1997, 359). Second, that texts are not meaningful individually; it is only through their interconnection with other texts, the different discourses on which they draw, and the nature of their production, dissemination, and consumption that they are made meaningful (Phillips and Hardy 2002). Our analysis of Indigenous procurement policy thereby focuses on how texts are made meaningful and also how they contribute to the constitution of social reality. Adopting a critical discourse lens allowed us to focus on how actors to use discourse as a resource to bring about certain outcomes (Phillips and Hardy 2002, 21). Our critical discourse analysis shows how the privileging of some discourses lead to both an incomplete transfer and a reconfiguration over time of the intent of public procurement policy.

Data collection and analysis

Our data collection focused on texts that shed light on how Indigenous public procurement policy in Australia came to have the political intent it carries today. We searched for all publicly available and unique news articles which mentioned the key phrases: 'Indigenous business exemption', 'Indigenous opportunity/(ies) policy', and 'Indigenous procurement policy'. This search was first conducted using ParlInfo, the official search tool for the Australian Parliament which includes Hansard records, press releases, government reports, newspaper clippings from broadsheet newspapers and public sector news websites, and some radio segments. A secondary search was conducted using the Google News search tool to capture other available and unique news

items. Texts were excluded from analysis if they were republished across a media network. A national Indigenous newspaper, the Koori Mail, was manually searched for reference to each policy since a generalized search was not available across editions of this newspaper. Other sources, including reports from KPMG and the Business Council of Australia, and Policy Magazine articles were captured through following references in other media items. A separate search of articles, newsletters, reports and video was conducted on the Supply Nation website. In total we accessed and analysed 185 texts from 2007–2017, beginning with the first mentions of the United States policies on supplier diversity in the Australian context. Table 1 provides details on the number of text types analysed for this research, with examples of sources for each text type.

Our analysis follows Fairclough (1992, 4) in exploring the development of the Indigenous public procurement policies as 'simultaneously a piece of text, an instance of discursive practice, and an instance of social practice'. We combined all documents into a historical document database, mapped the key junctures, and developed a timeline of the policy initiatives (see Figure 1).

We began with three categories for assisting us to identify shifts in the discourse: policy intent, aligned discourses, and key stakeholders. First, we read the texts to identify what they were signalling about the intent of the policy and at the same time identified which stakeholders were being given responsibility for policy implementation and outcomes; government, corporate Australia, Indigenous business. While we identify Indigenous business in the discourse as one of the parties 'responsible for Indigenous employment', and indeed note that their role became increasing prevalent and important, we also note that they were not a powerful voice in the policy discourse.

In the next phase of our analysis, we then searched the texts for the aligned discourses that were combined with the procurement policy discourse and identified the main discourses as: 'supplier diversity in public procurement', 'stimulating entrepreneurship', 'employment generation', and 'closing the gap'. Each text was manually coded, re-coded and checked to ensure consistency. We discussed the results of the coding in stages, with the three authors evaluating each tranche of coding to ensure consistency in approach. We were able to track which discourses came to dominate, as well as those that were present at the beginning, fell from use, or were reframed using other related discourses. This back and forth between the texts and our coding, lead us to identify four key discursive junctures in the transfer and implementation of the policy. An overview of these four junctures in the policy transfer process, policy intent, dominant discourses and parties responsible for Indigenous employment are outlined in Table 2 below. The effect of this interplay between actors, intent and discourse is discussed in four sections below.

Competing discourses and policy shifts

In the sections below, we begin by outlining the broader policy shifts and then identifying which discourses were taken up, and which abandoned, in the struggle to frame the policy agenda, as well as which voices came to dominate debates.

Juncture 1: Parallel discourses: stimulating entrepreneurship and corporate social responsibility (2007-2008)

The first major national policy initiative to focus on the development of Indigenous public procurement opportunities was the 2008 House of Representatives Standing Committee

Table 1. Data sources.

| Time Period	Examples	2007-08	2009-10	2011-13	2014-17	Total
Govt. Reports	Closing the Gap Prime Minister's Reports, The Forrest Review, House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs' reports, Productivity Commission reports.	3	4	7	10	**24**
Newspaper and other news media	Koori Mail, Australian Financial Review, The Australian, The Guardian, The Conversation, and ABC and SBS news channels.	0	2	5	43	**50**
Other Government documents	Hansard, COAG meeting communiques, National Partnership Agreements, and media releases.	5	7	5	44	**61**
Digital resources	The Mandarin (Free public sector news website), Government News (Free public sector news website), and Policy statements from political party websites.	0	1	23	26	**50**
TOTAL		**8**	**14**	**40**	**123**	**185**
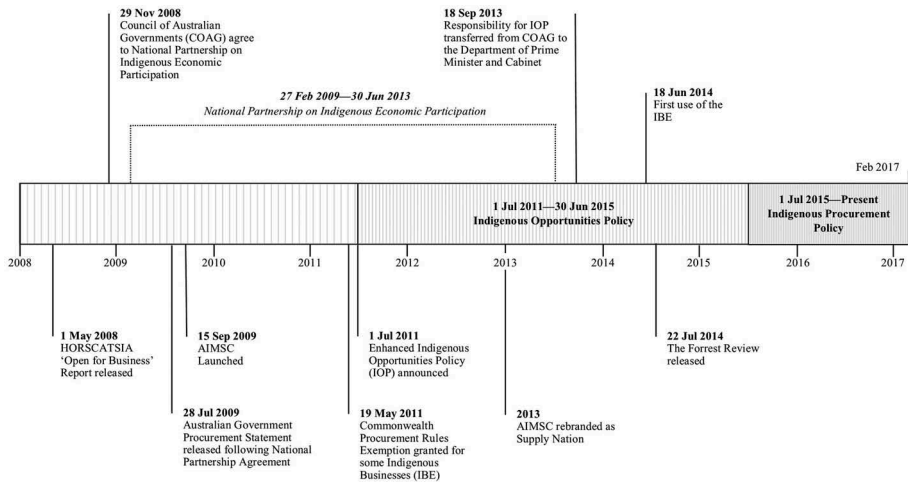
Figure 1. Timeline of the evolution of the Indigenous Procurement Policy (IPP) in Australia.

on Aboriginal and Torres Strait Islander Affairs (HORSCATSIA) inquiry, titled *Open for Business: Developing Indigenous enterprises in Australia*. The Standing Committee's inquiry focused on the potential of Indigenous entrepreneurship and the transfer of the United States supplier diversity policy for the Australian government procurement market. We note that a partial explanation of Australia's engagement with the United States supplier diversity policy links to the close relationship between Australia and the United Kingdom, as the United Kingdom has previously adopted a public procurement policy based on the United States example (Ram, Theodorakopoulos, and Worthington 2007).

The Standing Committee amplified the national dialogue on stimulating Indigenous entrepreneurship through supplier diversity in public procurement:

> The aim is clear. To encourage corporate Australia to conduct business with Indigenous owned businesses. The peak body for this Supplier Diversity Council will have one goal – to increase the amount of business conducted between its members and accredited Indigenous businesses (Ms Michelle Hoff in HORSCATSIA, 2008, 97, #163).

A culture of supplier diversity in Australia was to be founded on the principle of Indigenous procurement as form of corporate social responsibility (CSR):

> At present, awareness of supplier diversity is not well developed in Australia. CSR is increasing in Australia, as discussed in the previous chapter, and the introduction of an SDC [supplier development council] would facilitate supplier diversity amongst corporate organizations (HORSCATSIA, 2008, 102–103, #163).

In order to develop a culture of supplier diversity, the Standing Committee focused their recommendations on how both government and private sector engagement could be incentivized through a non-mandated targeted level of Indigenous procurement by government, and the pilot of an Indigenous supplier development council based directly on the United States National Minority Supplier Development Council (NMSDC). The rationale here focused on the direct benefits of public and private procurement in supporting Indigenous businesses and stimulating Indigenous entrepreneurial activity:

Table 2. Key shifts in policy intent.

Time Period and Government	Policy Intent	Dominant Discourse(s)	Responsibility for Indigenous employment	Exemplar quotes
2007-2008 Rudd Labour Govt.	Promoting and expanding opportunities for Indigenous entrepreneurs Establishment of a Supplier Diversity Council to facilitate public and private procurement	Stimulating Indigenous entrepreneurship through public and private procurement Corporate social responsibility	Government Corporate Australia Indigenous businesses (through self-employment)	"As outlined by the [supplier development council] delegation, demographics are driving greater social responsibility and supplier diversity in the corporate world and there is a clear market incentive to be seen to engage with and support minority communities" (HORSCATSIA 2008, 106, #163). "I think there is benefit in having a procurement strategy. I do not feel that we need a minority business strategy here. We need an Indigenous procurement strategy that allows for Indigenous people and Indigenous business owners to link up with and formalize partnerships with companies that have been in the industries for a long time, such as us with ISS [ISS Facility Services]" (Mr Donald De Busch, HORSCATSIA Official Committee Hansard 2008, 9, #162).
2009-2011 Rudd/Gillard Labour Govt.	Promoting and expanding opportunities for Indigenous entrepreneurs Public procurement as a tool to achieve social outcomes	Stimulating entrepreneurship through public and private procurement Closing the gap	Government Corporate Australia Indigenous businesses	'The calibre of both members and Indigenous suppliers who have joined our supplier diversity program has gone well beyond expectations' (AIMSC CEO Natalie Walker in Jay, *Australian Financial Review*, 28 January 2011, #11). 'Government procurement policy can assist in closing the gap in employment outcomes' (Tanner, 28 July 2009, 11, #167).

(Continued)

Table 2. (Continued).

Time Period and Government	Policy Intent	Dominant Discourse(s)	Responsibility for Indigenous employment	Exemplar quotes
2011-2013 Gillard/Rudd Labour Govt.	Promoting and expanding opportunities for Indigenous entrepreneurs Indigenous employment	Stimulating Indigenous entrepreneurship through public and private procurement Growth in Indigenous employment prime measure of success	Government Corporate Australia Indigenous businesses	'The Australian Government has specific policy objectives that it seeks to achieve in its funding and association with AIMSC, thus the key measure of success is how well AIMSC contributes to these policy objectives. These objectives relate to Indigenous economic development outcomes with measures of success including increased employment, sustainable business growth and greater economic independence' (PriceWaterhouseCoopers, October 2011, 28, #129) 'The increasing commitment from our existing and new members demonstrates a collective recognition that supplier diversity is a significant factor in closing the gap on disadvantage' (Supply Nation, 2012–13 Annual Report, 5, #100).
2014-2017 Abbott Coalition Govt.	Indigenous employment	Indigenous employment through Indigenous businesses Hunter Trope	Indigenous businesses	'Indigenous businesses are **100 times more likely** to hire Indigenous Australians than non-Indigenous businesses which is why we are creating an environment where Indigenous business and innovation can grow and prosper' (PMC 2016, 4, #156). 'Through governments working more closely with Indigenous businesses, we will be able to provide the jobs, skills and training to get more First Australians into meaningful employment,' Minister for Indigenous Affairs Nigel Scullion said. 'Indigenous businesses are around **100 times more likely** to employ an Indigenous person and overwhelmingly, Indigenous businesses are small businesses.' (Scullion, 25 May 2015b, #18).

> Targeted levels for Government procurement would provide an important boost for Indigenous businesses and an Indigenous supplier development council would provide the means to connect Indigenous businesses with private procurement in the corporate world (HORSCATSIA, 2008, viii, #163).

> There is a vital contribution being made right now to economic and social stability, and that business could certainly play a role in that. We are not talking about offshoots of community groups; we are talking about businesses that can operate under principles of the free market (Mr Andrew Laming in House of Representatives, 20 October 2008, 9620, #162).

At its introduction, the focus was on Indigenous Australians helping themselves by becoming entrepreneurs and setting up small businesses. The following quote shows the beginnings of an employment generation discourse, but in this early stage this relates to the idea of Indigenous entrepreneurs creating jobs for themselves (self-employment), as opposed to Indigenous entrepreneurs creating jobs for other Indigenous Australians:

> Self-employment is one way that Indigenous people can reduce dependence on government welfare and improve self-reliance. It also enables them to participate in the economy and improve their economic wellbeing. Indigenous business has the potential to contribute to economic participation and development for Indigenous people (Steering Committee for the Review of Government Service Provision, 2007, 58, #149).

In this initial phase of policy development, the dominant discourses promoted CSR initiatives from corporate Australia and government procurement activities which would enable Indigenous people to improve their circumstances through small business development. Stimulating entrepreneurial activity through promoting supplier diversity was to be the vehicle to for the public sector, corporate Australia and Indigenous entrepreneurs to create shared value.

Juncture 2: Converging discourses: stimulating entrepreneurship and 'closing the gap' (2009 – May 2011)

The heightened interest in Indigenous procurement policy as a tool to stimulate Indigenous entrepreneurship lead to the funding of the Australian Indigenous Minority Supplier Council (AIMSC) (Supply Nation 2017). The establishment of AIMSC (later rebranded as Supply Nation) was undertaken in direct consultation with representatives from the United States NMSDC. Throughout this phase, the focus shifted towards the role of public procurement to 'close the gap' between Indigenous and non-Indigenous Australians. Closing the Gap is an Australian Government policy framework with seven specific targets aimed at reducing 'the gap in life expectancy and opportunities between Indigenous and non-Indigenous Australians' (Commonwealth of Australia 2010, 2, 2015). The introduction of the closing the gap rhetoric conflated the two ways in which public procurement could address Indigenous disadvantage by either (i), stimulating entrepreneurial activity by encouraging government and private sector procurement from Indigenous business:

> In the Australian context market creation strategies, such as AIMSC, are an essential pillar of the Australian Government's commitment to close the gap on Indigenous disadvantage. The underlying premise is simple; if the largest buyers in the country buy goods and services from Indigenous Australian business this will create jobs for Indigenous people, wealth in Indigenous communities and prosperity for all (AIMSC, 2010-11 Annual Report, 6, #102).

Or (ii), generating Indigenous employment through procurement from the private sector:

> The non-government and private sectors have a key role to play in employing Indigenous people and contracting Indigenous businesses, both of which are important to closing the gap (PMC, 2010, 63, #150).

During this phase we see the growth of an Indigenous employment generation discourse, however, the responsibility for the employment generation clearly lies with government and corporate Australia, with employment of Indigenous Australians being a 'spin-off' of an effective supplier diversity policy:

> As major purchasers of goods and services, the Commonwealth and State and Territory Governments are in a position to increase Indigenous economic participation and employment by introducing or strengthening Indigenous employment requirements in government procurement processes (COAG, 2009, 6, #213).

Linking Indigenous employment, Indigenous public procurement and closing the gap rhetoric was used to justify strengthening the Indigenous Opportunities Policy (IOP) in July 2011 by enforcement of training and supplier plans:

> The enhanced Indigenous Opportunities Policy is part of the Australian Government's commitment to Closing the Gap on Indigenous disadvantage and halving the gap in Indigenous unemployment within a decade (Arbib and Tanner, *Ministers' Media Centre*, 25 February 2010, #81).

Indigenous bodies, notably the Australian Indigenous Minority Supplier Council (AIMSC), also drew on the closing the gap rhetoric to frame their work:

> We have already identified that Indigenous owned business will contribute to closing the gap as they employ Indigenous Australians at a higher rate. The 41 businesses currently certified have an Indigenous employment rate of 72 per cent (AIMSC, 2009-10 Annual Report, 6, #103).

> We are seeing a ripple effect where AIMSC's suppliers are further strengthening Indigenous economic growth by employing and creating job opportunities for other Indigenous Australians (AIMSC CEO Natalie Walker in Jay, *Australian Financial Review*, 28 January 2011, #11).

While closing the gap became a rhetorical device to directly link Indigenous public procurement and Indigenous employment, there were still strong echoes of the original policy intent on stimulating entrepreneurial activity, with the focus clearly on the role of government and corporate Australia in helping Indigenous businesses to be more competitive through a supplier diversity policy framework.

Juncture 3: Entangled discourses of entrepreneurship and employment (May 2011 – 2013)

There was no substantive change in government policy regarding supplier diversity and Indigenous procurement until 2011 when the enhanced Indigenous Opportunities Policy (IOP), formally introduced in July 2011, included an exemption from the Commonwealth Procurement Guidelines to encourage Indigenous procurement. Exemption 17, referred to as the 'Indigenous Business Exemption' (IBE), provided the legal grounds for preferential procurement from Indigenous businesses under certain circumstances, and without obligation. The IBE was established to exempt Indigenous small to medium enterprises (SMEs) from the administrative costs of the full tender process for government contracts (Guan 2011).

By the time the IBE was announced in May 2011, the discourse around public procurement from Indigenous businesses was firmly enmeshed with Indigenous employment outcomes. This created confusion about whether Indigenous public procurement was a policy tool to stimulate Indigenous entrepreneurship or a tool to promote affirmative action in Indigenous employment. The following excerpt from the announcement of the IBE by the Federal Labour Government Minister for Finance and Deregulation, Penny Wong, and Minister for Indigenous Employment and Economic Development, Mark Arbib, demonstrates this entanglement of Indigenous employment and Indigenous entrepreneurship discourses:

> We know the best way to boost Indigenous employment is to develop Indigenous enterprises because businesses owned and run by Indigenous people also provide great job opportunities for Indigenous Australians' (Arbib and Wong, *Ministers' Media* Centre, 19 May 2011, #4).

During this phase, maintaining supplier diversity as a mechanism to support Indigenous businesses remained on the agenda through the AIMSC discourse:

> Our corporate and government members are proud to be increasing the diversity within their own supply chains; making lasting professional connections that often result in unexpected friendships (Supply Nation, 2012-13 Annual Report, 6, #100).

> By the end of last year, AIMSC had certified 124 indigenous [sic] business suppliers and granted almost $23 m in contracts to these suppliers. Private corporations are also responding positively to these incentives. Suddenly, forming partnerships with indigenous [sic] companies and organisations is good for business (Moran, *The Australian*, 9 June 2012, #6).

However, in wider political discourse the rationale for Indigenous public procurement clearly shifted away from the benefits of stimulating Indigenous entrepreneurship and focused on the assumption that supporting Indigenous businesses means creating Indigenous employment. Some of the Australian Government discourse abandoned the original intent around supplier diversity, with the introduction of the exemption being framed as complimentary to employment policy:

> Finance Minister Penny Wong said the new exemptions complemented the implementation of the Government's indigenous opportunities policy, which aims to increase training and employment opportunities for Aborigines [sic] (Karvelas *The Australian*, 19 May 2011, #7).

Only 18 months after the introduction of the IBE and IOP, it became clear that Indigenous employment discourse had come to dominate the Indigenous procurement discourse. Indigenous business success then came to be measured by the number of Indigenous people employed by those businesses in both mainstream business and Indigenous media discourse:

> Aboriginal businesses also employ many more Aboriginal people than non-Aboriginal businesses, so it has increased overall Aboriginal participation in our business. We have received significant benefits from it (Business Council of Australia, 2013, 18, #158).

> Indigenous success means Indigenous employment, Indigenous employment means Indigenous wealth, and Indigenous wealth means Indigenous independence and wellbeing (Mr Charles Prouse in Parker, *Koori Mail*, 22 May 2013, 37, #91).

Indigenous employment outcomes also become one of the key performance metrics for the pilot of the AIMSC:

> Increasing Indigenous employment is a key objective of the Australian Government in supporting the establishment and operation of the AIMSC pilot project (illustrated by the funding source, IEP). One of the key KPIs in the agreement includes the measure of increased Indigenous employment within suppliers (PriceWaterhouseCoopers, October 2011, 22, #129.

By the end of this phase, Indigenous employment through Indigenous businesses had become a specific objective of Australia's Indigenous public procurement policy. However, significantly, responsibility for growing Indigenous businesses and Indigenous employment rests with government and corporate Australia through supplier diversity initiatives.

Juncture 4: Responsibility shifts and employment dominates (2014-2017)

The IOP was not seen as a successful initiative on its own, as the total government procurement from Indigenous businesses was only 0.02 per cent in 2013 (Tudge 2015a). Storey (2016) documents the limited use of the IBE, noting that from 2011 to June 2015 only four contracts were awarded to Indigenous businesses of all 66,000 contracts awarded in the 2014 financial year alone. This failure of the IOP and IBE to deliver outcomes led the Federal Coalition Government to commission the outspoken iron ore miner, Andrew Forrest, to develop a set of recommendations aimed at creating a level playing field for Indigenous and non-Indigenous Australians. This review produced *The Creating Parity Report* (the Forrest Review) which recommended mandatory government procurement of goods and services from Indigenous businesses. Forrest (2014) argued that this form of procurement would create demand for Indigenous businesses, thereby increasing rates of Indigenous employment and achieving parity.

Although the discourse in the report seems to indicate a return to the principles of public procurement to stimulate Indigenous entrepreneurship, the discourse that circulated around the report predominately emphasized the job creation benefits of Indigenous public procurement policy. A key feature of the discourse was the repeated use of a quote from an article published in 2015 by Dr Boyd Hunter which used data from the Industry Capability Network in Queensland to reveal that majority-owned Indigenous businesses 'are around 100 times more likely to employ Indigenous workers than non-Indigenous businesses' (11). This quote was eagerly taken up by Federal Coalition Government and served as a core motive for the introduction of the new Indigenous Procurement Policy (IPP) in 2015, replacing the IOP. From January 2014 to February 2017 there were 22 separate mentions of the statement that Indigenous businesses 'are 100 times more likely to employ Indigenous people'. This phrase was mentioned in 18 per cent of all texts that related to the IPP:

> As well as supporting financial independence for more Aboriginal and Torres Strait Islander people by supporting businesses they own, Scullion said the new procurement target would also increase Indigenous employment. "We know that an Indigenous-owned business is **around a hundred times more likely** to employ an Indigenous person than otherwise; it's just a fact," he said. "And part of that, in my observations, has been Aboriginal people prefer to work in a place, unsurprisingly, where they're not the only Aboriginal person there" (Easton, *The Mandarin*, 7 March 2014, #14).

> Indigenous businesses can be a significant part of addressing the employment gap, because these businesses employ Indigenous people at **a rate 100 times that** of non-Indigenous

businesses. They are particularly good at employing those who may have been long-term unemployed and have challenges across multiple fronts (Tudge, *Australian Financial Review*, 28 May 2015, #22).

What is recognised and understood, and it's mentioned in the Forrest review is that Aboriginal businesses are **100 times more likely** to employ Aboriginal people. So this is one mechanism to actually drive Aboriginal employment and that's the reason why the policy is being created. It's an underlying desire to increase the number of Aboriginal people who are employed (Eades, *The Mandarin*, 1 October 2015, #32).

We noted that while the Indigenous employment discourse clearly dominates the Federal Coalition Government's rhetoric on Indigenous procurement in this phase, the AIMSC, now known as Supply Nation, and some corporations continue to draw on CSR discourse to support Indigenous entrepreneurs through supplier diversity:

Supplier diversity is enjoying growing recognition and the trickle-down benefits to the business community and the greater Australian community are evident. Supporting Indigenous economic development is an admirable way to demonstrate good corporate citizenship and social responsibility (Supply Nation, 2014, *Supplier Diversity How*, Issue 3, #112).

At NAB, we believe we have a responsibility to help address Indigenous disadvantage and to create opportunities for all Australians. Our aim is to build partnerships that enable Indigenous businesses to grow and prosper. Supporting Indigenous businesses in our supply chain is a key part of this commitment to reconciliation and to our supplier diversity agenda (Supply Nation, 2014, *Supplier Diversity How*, Issue 3, #112).

Federal Coalition Government Ministers frequently over-extended the purpose of the policy to include employment parity as a primary aim (Scullion 2015a, 2015b; Hartsuyker 2015; Tudge 2015b). They inter-wove Indigenous entrepreneurship and Indigenous employment as outcomes for Indigenous procurement policy, with the nascent research from Hunter used as a trope to discursively construct them as one and the same. This occurred despite Hunter's insistence that his research findings were preliminary and that to extrapolate from his findings to the whole of the Indigenous business sector was inaccurate:

The number sounds very big but in reality, as you scale up the number of Indigenous businesses, they will be constrained in the number of Indigenous employees they can find so the success of the program will mean that this statistic is reduced, in itself (Hunter in Easton, *The Mandarin*, 1 March 2017, #60).

In sum, our findings show that the development of Indigenous procurement policies was a cross-national policy transfer based on the pioneering work of the National Minority Supplier Development Council (NMSDC) in the United States (Adobor and McMullen 2007; Rogerson 2012). Whilst the policy began as a tool to stimulate entrepreneurial activity through supplier diversity, it was subsequently reframed as an Indigenous employment policy vehicle. The findings highlight several key discursive junctures that lead to mutation of public procurement policy throughout the policy transfer process. As each new discourse was taken up, the policy moved further from its original policy intent. Initially it was inter-woven with corporate social responsibility (CSR) discourses that supported the original intent of the policy which was for government and corporate Australia to play a major role in supporting Indigenous business through preferred procurement practices. To a lesser extent a self-employment discourse entered the policy discussion at this time, however, over time this neo-liberal ideal of minority groups, in this case Indigenous Australians, helping themselves through

entrepreneurship became a much more prevalent, so that in the second and third phase there was an emphasis on not only growing the number of Indigenous businesses but also those business contributing to improved employment outcomes for the wider Indigenous community. In the fourth phase, responsibility shifted with the idea of Indigenous business being responsible for increasing Indigenous employment outcomes dominating the Indigenous procurement policy discourse.

Discussion

Our research contributes to studies that explore the role of political discourses in policy transfer (Prince 2010; Stone 2017; Ureta 2014) and public procurement (Barraket, Keast, and Furneaux 2016; Mason 2012). First, we show that the Australian experience of transferring the United States supplier diversity model into the context of Indigenous public procurement represents an example of 'incomplete' policy transfer (Dolowitz and Marsh 2000). While the United States' approach was aimed at a range of minority supplier groups, Australia's approach was focused on Indigenous suppliers only. Limiting the policy in this way not only excluded others from benefiting from public procurement initiatives, it also sowed the seeds of the shifting focus and responsibility of the policy. We suggest that if the policy had had a broader remit from the beginning, its intent could not have been discursively reframed away from supporting entrepreneurs to Indigenous employment.

This leads to our second contribution where we use critical discourse analysis to plot the temporal transitions of public procurement policy and show how the intent of the policy has mutated (McCann and Ward 2012). We show how over time the 'subject' at the centre of the Indigenous public procurement policy changed from 'stimulating Indigenous entrepreneurship' to 'generating Indigenous employment'. Rather than supporting Indigenous businesses, this shift in intent placed further expectations on them to solve the intractable and complex problem of the under-representation of Indigenous people in the labour market (Smyllie, Scaife, and McDonald 2011; Dwyer et al. 2014). The discursive tactics of powerful actors triggered divergence in the policy intent (Phillips and Smith 2014). The responsibility for Indigenous employment outcomes, which could be a by-product of supplier diversity, shifted from government and corporate Australia and onto Indigenous business.

Our findings make a broader contribution to studies of public procurement by showing how policies focused on social justice can become diluted when there are shifts in the desired outcomes that government is trying to 'buy' (McCrudden 2007). Our findings align with recent studies that have identified how a lack of clarity about policy goals (Martin, Berner, and Bluestein 2007) and contradictory policy expectations can complicate the public procurement process (Cinar, Trott, and Simms 2019; Knutsson and Thomasson 2014; van Buuren, Eshuis, and Bressers 2015). Prior research has highlighted the potential conflicting goals of public procurement policy related to the competing regulatory, commercial and socio-economic objectives (Erridge 2007). Our findings show how conflict can also occur *within* these different objectives, in this case the types of socio-economic objectives that were being pursued were the source of conflict (i.e. employment outcomes vs entrepreneurship stimulation). A potential explanation for this conflict may relate to the fact that public procurement policies focused on social outcomes have historically focused on affirmative action in employment (McCrudden 2007). This may assist in explaining the

confusion in policy goals and the reversion to an emphasis on employment generation rather than entrepreneurship stimulation.

Our use of critical discourse analysis has allowed us to illustrate how competing discourses shifted the focus of Indigenous public procurement policy from a progressive affirmative action agenda to a regressive, neo-liberal self-help agenda. The coupling of Indigenous procurement with the broader 'closing the gap' agenda shows how political meaning and contemporary political context can shape the policy transfer process (Korteland and Bekkers 2008; Lovell 2016) and influence the development and implementation of public procurement policy (Cinar, Trott, and Simms 2019). Our analysis highlights how increasingly conservative governments aligned the Indigenous procurement policy with the broader shift towards 'neoliberal sensibilities that seek to individualize a wide range of social ills' (Murray 2004, 50) and a neo-liberal agenda in relation to 'closing the gap' for Indigenous Australians (Pholi, Black, and Richards 2009; Howard-Wagner 2017).

The introduction of competing discourses ensured that the discourse of stimulating entrepreneurship through supplier diversity captured in the original policy was never presented as a unified text but became fragmented. The discursive shifts evidenced in the reframing of public procurement policies in Australia illustrate how discourses change because of dynamic processes, whereby the practices and interests of both the producer of the policy and the consumer of the policy play out (Phillips and Hardy 2002). Whereas, Parsell, Fitzpatrick, and Busch-Geertsema (2014) found that in policy development, academic research is often side-lined in favour of intuition, we found, that academic research can be selectively seized upon as a discursive trope to support shifts in policy intent. These discursive tactics utilized to policymakers in reconfiguring public procurement policies highlight the power-laden processes involved in policy transfer (McCann and Ward 2012) and the sometimes-intentional nature of policy mutation. The use of selective discourses to promote an ideological position was most powerfully demonstrated during the years of the Abbott Coalition Government when politicians and business leaders repeatedly wove the phrase, 'one hundred times more likely to employ Indigenous people'. This phrase was taken from preliminary academic research by Hunter (2015) that indicated that Indigenous businesses were more likely to generate jobs for Indigenous Australians than other forms of business. However, rather than use this phase to support the need for affirmative action policies and preferential procurement, the phrase was used as a rhetorical device to support neo-liberal ideals of self-help and Indigenous exceptionalism. The discourse was continually used, despite attempts by Hunter to clarify the limitations of the claim.

Our analysis shows how discourse has real effects on policy outcomes (Benson and Jordan 2011; Legrand 2012; Mossberger and Wolman 2003). We found there was a privileging of some voices over others in the policy transfer process (Park, Lee, and Wilding 2017). In this case, the voices of Indigenous actors were either side-lined or co-opted into the government's employment rhetoric. We found that the more Indigenous voices were missing from the discourse and debate surrounded the policy, the more responsibility was shifted onto them. This finding aligns with prior research on public procurement which highlights the limited involvement of the users, beneficiaries or general public in the development of public procurement policy, and calls for marginalized voices to be deeply involved in the development of public procurement policies (Erridge 2007; Mouraviev and Kakabadse 2015; Torvinen and Haukipuro 2018).

The outcome of this silencing of Indigenous voices meant that the claims about Indigenous business as the prime arena for Indigenous jobs growth ignored questions of capacity and equity. Most Indigenous businesses are sole traders who employ one or two employees (Jacobs 2017) and they do not have immediate capacity to significantly improve labour market participation rates of Indigenous people. This additional responsibility is unfair as it operates as a form of 'double taxing' of Indigenous businesses – expecting them to be both profitable and viable while also delivering social profits to their communities. This expectation is rarely placed on non-Indigenous small business. This added expectation has been echoed in recent studies on public procurement that highlight how these policies 'may end up merely co-opting civic organizations into taking responsibility for meeting welfare targets over which they have scant influence, while providing little support for them to thrive and prosper' (Shi 2017, 463). McCrudden's (2007) analysis of the criticisms against public procurement for social outcomes recognizes how unfair burdens can be placed on contractors required to deliver goods and services at the same time as generating social outcomes. Our research shows how this double burden was the result of the privileging of some voices and the silencing of others. Parity for Indigenous business will never be achieved as long Indigenous voices are under-represented and policy is configured by dominant government and corporate actors in the political economy (Banerjee and Tedmanson 2010).

Conclusion

Our research reveals the ways in which Indigenous public procurement policy was contested through its various phases of implementation in Australia and how this discursive reframing led to policy mutation (McCann and Ward 2012). The findings highlight that the effect of this was placing a double burden on the very group, Indigenous business, that the original policy was aimed at supporting.

The article provides important insights for policymakers. Our analysis suggests that public procurement policy focused on stimulating entrepreneurship must remain first and foremost focused on supporting marginalized business owners, with employment generation a secondary goal. Our findings highlight that policymakers should avoid the temptation to layer policies with alternative aims which dilute their original intent. More importantly, the voices of those targeted by public procurement policy need to be heard and acknowledged in the policy transfer and implementation process. Effective policy transfer thereby requires engagement with a diversity of voices that represents all relevant stakeholders to ensure that the policy does not mutate to the extent that it fails to address the original policy intent.

Our research findings point to several fruitful avenues for future research on policy transfer and public procurement for social outcomes. Our study is limited by our reliance on publicly available texts. Future research should explore additional qualitative data (e.g. interviews, observations) to assist in understanding the performative nature of discourse and the interactions between stakeholders in different contexts. Another limitation of our study is that we only focus on how the discourses surrounding Indigenous public procurement play out in the Australian context. Future research should explore how discourses themselves travel across geographic boundaries. Finally, our critique of the lack of Indigenous voices in the development on Indigenous procurement policy can also be levelled at our own research. Future

research should engage with Indigenous entrepreneurs who have received contracts under Indigenous procurement policies to understand the impact of the policy on their activities and unpack the challenges, expectations, responsibilities they feel around creating employment opportunities for other Indigenous Australians.

Notes

1. It should be noted however that whilst the related fields of social and sustainable procurement also extend to private sector practices (Furneaux and Barraket 2014), in this paper we focus specifically on public sector procurement activities.
2. We refer to these public procurement policies as supplier diversity from this point given its use in the Australian context.

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No potential conflict of interest was reported by the authors.

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