

Chapter 4

The Council for the Australian Federation and the Ties that Bind

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Accordingly the history of every community and every constitution may be regarded as a struggle between the action of these two forces, that which draws together and that which pushes apart, that which unites and that which dissevers.

James Bryce, 1901¹

I Introduction

The Australian states and territories have spent a century and a decade forging ways to work collectively within the federation. Each new generation of sub-national leadership has struggled with what they perceive is their diminishing role within the federation and the encroachment by the Commonwealth into areas of state jurisdiction.² These concerns frequently overrode party allegiances and agreement on issues was often formed by states and territories across party political divides. Labor Prime Ministers were known for railing against Labor Premiers, and Coalition Prime Ministers often found little collegiate warmth from their state colleagues.

Yet it has never been easy for the states to formulate joint positions and agree on policies together. The ties that bind exist but they are often stretched by the three major divisions which hinder sub-national negotiation and decision-making. The first of these is territorial. Though we are often assured that territorial concerns have diminished because of globalisation,³ the concept of the

1 James Bryce, *Studies in History and Jurisprudence* (Oxford University Press, 1901) vol 1, 257.

2 References to 'state' or 'states' covers both the state and territory governments.

3 See Earl H Fry, 'Globalization and Its Impact on Federations' (Paper presented at Forum of Federations conference, Quebec, 6–8 October 1999). Globalisation has led to decision-making being drawn upwards to central governments and international fora. The countervailing theory by Thomas J Courchene identified a shift of power from the national government to lower levels as well as a loss of power upwards to international fora and policy setting. He termed this 'glocalization': Thomas J Courchene,

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