Chapter 17

Measuring the Mysteries of Federal Political Culture in Australia

AJ Brown

I Introduction

Are Australian citizens culturally divided when it comes to their vision of tomorrow's federation? Are there detectable differences in the federal political culture shared by individuals and groups within the Australian community – and if so, what do these differences indicate about how Australians think their political system should evolve?

These questions are made important by recent evidence that a majority of citizens believe not only that their political system is underperforming, but that it could benefit from fundamental structural reform. The first and second Australian Constitutional Values Surveys, conducted by the author and colleagues in May 2008 and March 2010, provide empirical evidence to this effect.[1] They revealed that large majorities of Australians are unsatisfied with how the federal system works in practice and would, if given the choice, structure the system of government differently in the future.[2] The strength of reform sentiment revealed by these surveys suggests that when it comes to their system of government, many citizens are seeking to be set free of something – but of what? Possibly, citizens are seeking relief from a political discourse in which the problems of federalism are often bemoaned, but realistic paths toward improvement remain elusive.

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1   The Australian Constitutional Values Surveys were made possible by the Australian Research Council through Discovery Project 0666833. The author also thanks his project colleagues, Ian Gray (Charles Sturt University), Cheryl Saunders (University of Melbourne) and David Brunckhorst (University of New England), as well as Tony Dunn (Charles Sturt University), Andrew Parkin (Flinders University), Anne Twomey (University of Sydney), Ron Levy (Griffith University) and John Davis and Cassandra Marks (Newspoll Limited) for contributions to questionnaire design. Further project details are available at <http://www.griffith.edu.au/federalism>.

2   See AJ Brown, 'Escaping Purgatory: Public Opinion and the Future of Australia's Federal System' in Nicholas Aroney, Gabrielle Appleby and Thomas John (eds), *The Future of Australian Federalism: Comparative and Interdisciplinary Perspectives* (Cambridge University Press, 2011) Table 2.

But the depth and apparent persistence of reform sentiment also raises a deeper question. To what extent are reformist citizens seeking to be free of federalism altogether – that is, any federal system of government – or to what extent are they driven by problems which relate less to federalism per se, than to the structure and processes of the existing federation?

This chapter takes debate closer to an answer to this question, by further exploring key results from the Australian Constitutional Values Surveys. These data were collected in 20 minute telephone surveys conducted nationally of Australian citizens and permanent residents aged 18 years and over, in the periods 1 to 11 May 2008 (1201 respondents) and 1 to 14 March 2010 (1100 respondents).[3] First, the current state of reform sentiment is summarised. As already reported elsewhere,[4] when invited to describe the system of government they think Australia should have in the future, a majority of citizens describe their preferred system in terms structurally different from the present federation in fundamental ways (66 per cent in 2008, 75 per cent in 2010). Public support for a restructured federal system, even to the extent of abolishing and/or replacing its first-order territorial divisions (the states), is widespread throughout the Australian population.

The chapter then explores these diverse reform preferences using different values that citizens associate with having a multi-levelled system of government. The second part reviews attitudes towards basic values of centralism and decentralism. As well as exposing differences in political culture and confirming the influence of current political events, these results indicate that reform options previously assumed to be diametric opposites – such as abolition of the states versus retention of the status quo – may not reflect such divergent political attitudes as once thought. However if supporters of these options do not divide on this basic issue, what values *do* define these competing visions?

The third part of the chapter seeks an answer through a first-ever empirical description of the state of 'federal political culture' in Australia. By this is meant the extent to which the political attitudes and beliefs of the general

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3   Newspoll Limited was contracted to conduct the surveys, with respondents selected via a stratified random sampling process using random digit dialling ('RDD'), according to quotas set by statistical division, with one individual selected in each household by a 'last birthday' screening question, supported by a system of appointments and call-backs. For representativeness, results reported here are post-weighted according to population distribution using Australian Bureau of Statistics data on age, highest level of schooling completed, sex and area (unless otherwise shown). In line with standard sampling variances, national results for both samples (n=1201 and n=1100) are estimated as accurate to plus or minus 3 per cent or better, to a 95 per cent level of confidence.

4   See AJ Brown, 'Ain't Broke, but Needs Fixing', *Inquirer, The Weekend Australian* (Sydney), 26–27 July 2008, 29; AJ Brown, 'Thinking Big: Public Opinion and Options for Reform of Australia's Federal System' (2009) 4 *Public Policy* 30; AJ Brown, 'Fix the Broken Wheel of State and Give the Boot to the Knee Jerk Reaction', *Inquirer, The Weekend Australian* (Sydney), 10–11 April 2010, 5; Mike Steketee, 'Support on the Rise to Abolish State Governments', *Inquirer, The Weekend Australian* (Sydney), 10–11 April 2010, 1, 5; Brown, 'Escaping Purgatory', above n 2.

population reflect attachment to key values associated with federalism, such as division of power, capacity for legislative diversity, capacity for innovation, party-political diversity, and accountability through contestation.[5] Empirical evidence of differences in political attitudes within Australia has previously been presented in support of federalism's salience as a constitutional strategy.[6] However, federal political culture itself has not been measured, notwithstanding prominent questions about its extent and content – ranging from Brian Galligan's description of the citizenry's relationship with federalism as 'love–hate' and 'schizophrenic',[7] to Cheryl Saunders' theory that difficulties with federalism may relate to a predominance of unitary values and influences, such as majoritarian decision-making and formal equality, and a 'lack of a federal culture receptive to power sharing'.[8]

Using further survey questions about the value of different attributes of a multi-levelled system, respondents are grouped on a six-point cultural spectrum extending from 'strong federalists', through 'clear' and 'conflicted' federalists, to 'conflicted', 'clear' and 'strong' non-federalists. The analysis shows that federal principles do have salience for most Australians, with two-thirds of citizens falling into the federalist bands, and only a quarter into the non-federalist bands. This result suggests that it is less federalism per se against which most Australians are presently reacting, than attributes of how the current federation is structured and functioning in practice.

In discussion, the fourth part of the chapter discusses the issues on which visions of the future seem to turn. Consistently with Saunders' theory, less than half of citizens are 'strong' or 'clear' federalists, and almost as large a propor-tion (a third) fall into the 'conflicted' bands of the spectrum. The distinguishing feature of most reform-minded citizens is not their relative commitment to decentralism nor federalism per se, but the conflicted nature of that commit-ment – often supporting divided power and capacity for policy innovation, but not necessarily legislative diversity.

In conclusion, while these results offer no easy answer, they reinforce the importance of reform which addresses the substantive dimensions of the federation's structure and functioning, in place of the more symbolic ideas and simplistic rhetoric about federalism that has tended to dominate the recent past. A current example is the important idea of formally recognising local

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5   See, eg, Richard L Cole, John Kincaid and Alejandro Rodriguez, 'Public Opinion on Federalism and Federal Political Culture in Canada, Mexico, and the United States' (2004) 34(3) *Publius* 201. On political culture more generally, see Rodney Smith, *Australian Political Culture* (Longman, 2001).

6   See Jean Holmes and Campbell Sharman, *The Australian Federal System* (Allen & Unwin, 1977).

7   Brian Galligan, *A Federal Republic: Australia's Constitutional System of Government* (Cambridge University Press, 1995) 9, 53–62.

8   Cheryl Saunders, 'The Implications of Federalism for Indigenous Australians' in Yash Ghai (ed), *Autonomy and Ethnicity: Negotiating Competing Claims in Multi-Ethnic States* (Cambridge University Press, 2000) 269, 284.

government in Australia's federal Constitution, but the lesson applies more broadly. By being made more tangible, the perceived problems of Australian federalism are confirmed to be quite fundamental. However they also stand a better chance of flowing through into viable, practical, long-term reforms.

II Preferences for Reform

As noted above, data from the two Australian Constitutional Values Surveys indicate that a substantial majority of citizens see their present federal system as either underperforming or problematic, in at least one of a range of significant ways.[9] In addition, when asked about the system of government they thought Australia should have in the future, 'say twenty years from now', a majority of respondents (66 per cent in 2008, 75 per cent in 2010) described their preferred system in terms structurally different from the present system in fundamental ways. Table 1 (*see over*) summarises the responses to a series of questions designed to elicit this description, showing differences by states as well as the national totals. Figure 1 (*see over*) shows the national results only, for each year, grouping respondents into the main combinations of preferred options for the future. All results are weighted to indicate distribution across the actual population.

While such opinions about the future have long been of interest to observers of Australian federalism, they have recently been assumed to be of marginal rather than major significance. In 1995, Galligan acknowledged the apparent presence within the Australian community of a long-term rump of citizens favouring abolition of state governments, but was adamant that these 'abolitionist scenarios' were for 'idle speculators'.[10] In 2009, the Commonwealth government similarly asserted that structural reform of this kind had 'very limited popular support'.[11] However, as seen in Figure 1b, in March 2010 these abolitionist scenarios represented the single most preferred future for the system. Moreover, assumptions that support for such scenarios is concentrated in 'the south-east corner of the mainland'[12] – that is, the dominant centres of Sydney, Melbourne and Canberra[13] – have proved not to be so clear cut. While desires to dispense with state governments were lowest in the two most 'outlying' states (Western Australia and Tasmania), in no state did they fall below 20 per cent.

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9   See also Brown, 'Escaping Purgatory', above n 2.

10   Galligan, above n 7, 253.

11   Department of Prime Minister and Cabinet, *Responding to the Australia 2020 Summit* (2009) 233.

12   Cheryl Saunders, 'Dividing Power in a Federation in an Age of Globalisation' in Charles Sampford and Tom Round (eds), *Beyond the Republic: Meeting the Global Challenges to Constitutionalism* (Federation Press, 2001) 133.

13   Geoffrey Blainey, 'The Centenary of Australia's Federation: What Should We Celebrate?' (Speech delivered at the Senate Occasional Lecture Series, Parliament House, Canberra, 26 October 2000).

Table 1 Australians' Preferences for their Three-levelled System of Government, 20 years From Now: By State (2008 and 2010)

| %	Australia		NSW		Vic		Qld		SA		WA		Tas	
	2008	2010	2008	2010	2008	2010	2008	2010	2008	2010	2008	2010	2008	2010
(n)	(1201)	(1100)	(310)	(285)	(241)	(220)	(220)	(204)	(160)	(146)	(181)	(164)	(50)	(46)
Same system as today	31.0	21.9	28.7	19.0	29.9	28.2	33.5	14.9	28.0	28.2	37.0	28.5	32.2	22.7
Restructured system	65.8	74.5	68.9	75.5	68.4	69.6	59.6	82.6	68.3	66.8	61.8	68.6	63.4	75.5
Don't know	3.2	3.6	2.4	5.5	1.7	2.2	6.9	2.5	3.7	4.4	1.2	2.9	4.4	1.8
	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
How restructure?*														
Abolish federal govt	7.1	12.3	7.9	10.8	6.5	9.7	8.1	19.8	4.4	9.5	7.4	13.1	1.0	12.3
Abolish state govts	30.5	39.1	39.8	44.0	26.2	32.6	27.1	48.4	29.4	35.9	22.4	24.3	21.0	32.5
Abolish local govt	32.7	38.3	39.4	44.5	31.5	34.1	24.8	39.5	36.8	33.3	30.2	30.4	26.2	43.8
Create more states	8.7	9.3	5.2	5.4	10.0	9.1	12.2	13.7	8.4	2.6	7.6	12.0	16.8	12.5
Create regional govt	32.2	42.2	32.8	44.2	37.4	40.1	27.7	45.0	30.8	28.8	28.2	42.2	37.7	37.0

*Source: Australian Constitutional Values Survey, Griffith University, 2008, 2010. See also Brown, 'Thinking Big, above n 4; 'Escaping Purgatory', above n 2. Results weighted for representativeness. * Responses sum to more than 100 per cent as not mutually exclusive. Territory results included in national result but omitted from state breakdowns due to sample sizes (n=20 or less).*

Note: Some percentages vary from Table 1 due to combination analysis (for example, 'Abolish/replace states' and 'Only federal government' are both combinations involving no state level of government; 'Four tiered system' includes four tiers with more states; etc).

Figure 1 Main Combinations of Preferences for our System of Government, 20 Years From Now (2008 and 2010)
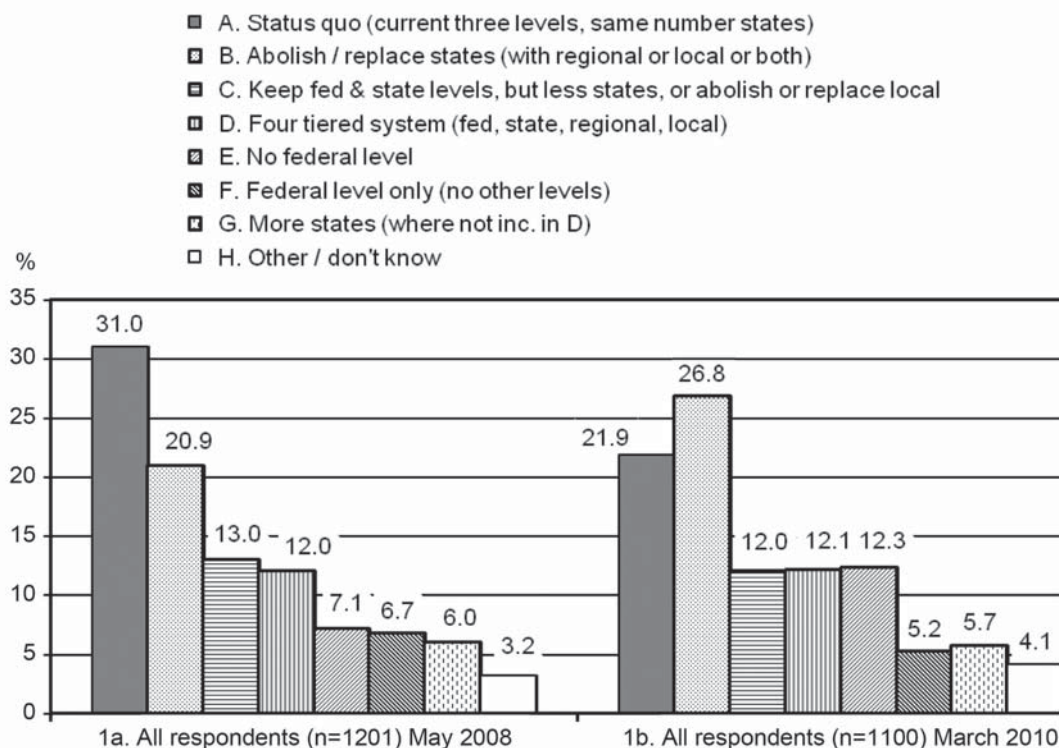
Their highest incidence was recorded in Queensland (48 per cent, including 42 per cent outside the capital, Brisbane) – a jurisdiction frequently stereotyped in Australian politics as a bastion of states' rights.

The persistence of such sentiments has also led to assumptions about underlying political culture. Many commentators have assumed that preferences for abolition or replacement of the states are synonymous with a preference to abolish federalism altogether, in favour of a unitary political system. Galligan's description of Australians' relationship with federalism as 'love–hate' and 'schizophrenic' rests in large part on this assumption.[14] Again, however, the results in Table 1 and Figure 1 suggest more complex explanations. For many citizens, the issue appears to be less whether some or all the present states should be abolished, than what sub-national institutions should augment or replace them. While the focus often falls on those citizens who would abolish state governments, Table 1 shows that in each survey, a similar proportion would also, or instead, abolish local government. Yet at the same time, even when a majority of citizens favour reform, a high proportion (58 and 46 per cent, respectively) continue to describe their preferred system as one which retains three or more levels of government. Relatively few would abolish the existing states without

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14   Galligan, above n 7, 9, 53–62.

replacing them; instead, around two-thirds of all those favouring reform would still base their reformed system on a tier of either state or regional government, or both. The common factor is that more citizens appear interested in a stronger framework of sub-national governance, than simply wish to do away with the states and/or local government altogether.

The complexity of these opinions reinforces the need for a better understanding of the values underpinning them. This complexity also happens to be consistent with the way in which competing visions have interplayed in Australian history since British colonisation at the end of the 18th century. In the early 1820s, uniquely among modern 'classic' federations, the future Australia was initially conceived and founded as a federal system by its colonial architects, but this original decentralised federal design was left unfulfilled after British colonial policy again changed sharply in the 1840s, back towards unitary theories.[15] Frozen by the effective withdrawal of British authorities from east-coast colonial politics in the 1850s–60s, Australia's political geography ceased to reflect the same evolutionary relationship between territory, regional identity and structure which was reflected in the creation of new states and provinces in the North American federations – notwithstanding popular support for such options. Nor did alternative unitary theories provide any compensation by way, for example, of strong local government.[16]

Such past debates clearly remain relevant to understanding federal political culture today. Contrary to assumptions that the federal system of 1901 simply entrenched 'political arrangements with which Australians in general were well satisfied',[17] the 2008 and 2010 survey results instead suggest that the present reform sentiment reflects a longer historical uncertainty about the structure of the nation's governance. Just as these debates have turned, and apparently continue to turn, on more complex issues than simply getting rid of one tier of government, it becomes more likely that they have less to do with any simple or abstract dispute over constitutional ideology, than with more pragmatic questions about the political system's design and performance. It thus becomes important to understand Australians' constitutional values at a finer grain of detail, to see whether – or how – these combinations of values differ between particular groups of respondents, depending on their particular preferred vision of the system's future.

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15   AJ Brown, 'One Continent, Two Federalisms: Rediscovering the Original Meanings of Australian Federal Political Ideas' (2004) 39 *Australian Journal of Political Science* 485; AJ Brown, 'The Constitution We Were Meant to Have: Re-examining the Strength and Origins of Australia's Unitary Political Traditions' in Kay Walsh (ed), Department of the Senate, *Democratic Experiments: Lectures in the Senate Occasional Lecture Series* (2006).

16   See AJ Brown, 'Regional Governance and Regionalism in Australia' in Robyn Eversole and John Martin (eds), *Participation and Governance in Regional Development: Global Trends in an Australian Context* (Ashgate Publishing, 2005); AJ Brown, 'Federalism, Regionalism and the Reshaping of Australian Governance' in AJ Brown and JA Bellamy, *Federalism and Regionalism in Australia: New Approaches, New Institutions?* (ANU E Press, 2007).

17   Holmes and Sharman, above n 6, 16, 21.

III Subsidiarity: Decentralism as a Constitutional Value

A key variable on which citizens' values can be measured is their attachment to the general principle of decentralism over centralism, or vice versa, defined in terms of the governance principle of 'subsidiarity'. This is conventionally understood to mean that in a multi-levelled system, matters should be dealt with by the lowest level of government practicable.[18] The surveys investigated the degree of popular support for this principle by asking respondents to choose between two statements:

> Thinking of the federal government as being the **highest** level of government, and state and then local as being **lower** levels of government. Which **one** of the following comes closest to your view about where decisions should be made?
>
> > 'It is better for decisions to be made at the lowest level of government competent to deal with the decision'; or
> >
> > 'It is better for as many decisions as possible to be made at the higher levels of government'.

This question imposes a partially false dichotomy, since centralisation and decentralisation in different policy areas and/or structures can occur at the same time. As the journalist Paul Kelly described to the Australia 2020 Summit in April 2008, federal reform may well rely on 'two principles of power moving in opposite directions' at the same time: 'power has to be both concentrated and devolved'.[19] Nevertheless by forcing respondents to choose one way or another, the results serve to expose concentrations of constitutional values.

As shown in Table 2 (*see over*), Australians are relatively evenly divided when forced to make this choice. In 2008, 52 per cent preferred the decentralist statement, as against 41 per cent for the centralist statement; while in 2010 this gap narrowed and reversed (45 per cent decentralist, 49 per cent centralist).

Considered simply in the present, however, the results further confirm Australians' constitutional values to be more complex than often assumed. Just as the most decentralist citizens (Queenslanders) are also the most ready to abolish state governments, the data challenge the assumption that the 'smallest' states (Tasmania and South Australia) are more likely to prioritise their own power over national interests. Instead, it may be that these communities perceive themselves as having the most to gain from a stronger and more engaged federal government.[20] This would be in line with the political behaviour

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18   See, eg, Anne Twomey and Glenn Withers, *Federalist Paper 1 – Australia's Federal Future: Delivering Growth and Prosperity* (Council for the Australian Federation, 2007) 4, 28. I thank Associate Professor Anne Twomey for the first suggestion of a survey question along these lines.

19   Department of the Prime Minister and Cabinet, *Australia 2020 Summit: Final Report* (2008) 320 <http://www.australia2020.gov.au>.

20   For a recent asymmetrical theory of federalism, see Chad Rector, *Federations: The Political Dynamics of Cooperation* (Cornell University Press, 2009).

Table 2 Decentralism/Centralism (Agreement with Principle of Subsidiarity), by State

Question: 'Thinking of the federal government as being the **highest** of government level, and state and then local as being **lower** levels of government. Which **one** of the following comes closest to your view about where decisions should be made?'

%	Australia		NSW		Vic		Qld		SA		WA		Tas	
	2008	2010	2008	2010	2008	2010	2008	2010	2008	2010	2008	2010	2008	2010
(n)	(1201)	(1100)	(310)	(285)	(241)	(220)	(220)	(204)	(160)	(146)	(181)	(164)	(50)	(46)
'It is better for decisions to be made at the lowest level of government competent to deal with the decision'	51.8	44.5	46.4	33.7	58.0	48.8	56.0	54.3	44.4	42.0	51.8	46.1	42.5	41.7
'It is better for as many decisions as possible to be made at the higher levels of government'	41.1	49.0	45.6	59.0	36.2	47.2	37.2	37.0	46.5	53.0	42.4	45.3	48.1	56.5
Don't know	7.2	6.5	8.0	7.4	5.7	4.0	6.8	8.7	9.1	5.0	5.8	8.6	9.4	1.8
	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Territory results omitted from state breakdowns due to sample sizes (n=20 or less), but included in national total.

of many Tasmanian and South Australian leaders during and since Federation itself.[21]

Variations in Table 2 also confirm the sensitivity of citizens' attitudes to current political events. As argued elsewhere, there is no reason to believe that citizens' constitutional judgments are *not* influenced by short-term political events, and every reason to believe that they should be.[22] However these results further indicate that short-term political events may only play a relatively limited role, and that reform preferences also still reflect longer term aspirations. In Table 2, most of the shift towards a more centralist sentiment occurred in just two states – New South Wales and Victoria. By comparison, the results in other states were remarkably similar across the two years. One likely explanation is that the March 2010 survey took place amid a major debate over reform of the public health system, culminating in a prominent Council of Australian Governments ('COAG') agreement on 20 April 2010.[23] These events included hot contestation over federal–state roles, responsibilities and resources, and widespread airing of the familiar federal ploy that if state governments did not comply voluntarily with national plans, the federal government would force them to do so. The debate was especially vigorous in New South Wales and Victoria, with most rhetoric of a federal takeover directed against these two state governments. The data thus tend to demonstrate both the immediate impacts of intergovernmental tactics based on this 'knee jerk' reaction,[24] and the underlying reality that these variations take place over the top of a baseline of more abiding constitutional values.

Figure 2 (*see over*) goes to the deeper question of whether visions of tomorrow's political system reflect differences in these values. For each year, respondents are presented in seven groups according to their preferred future scenario (A-G), as was depicted in Figure 1. These groups are ranked in order of the proportion of respondents in each who favoured the decentralist statement in the 'subsidiarity' question. Again, there is considerable similarity between the years. Predictably, the least decentralist respondents were the 5 per cent of citizens favouring scenario F (federal level only, that is, abolish state and local government). The most decentralist were those favouring creation of more states and/or addition of regional governments in a four-tiered system (or, in 2010, those who favoured abolishing the federal level).

The most important results lie in the values reported by the respondents who favour scenarios A (status quo), B (abolish/replace the states), and C (keep

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21   See generally Helen Irving (ed), *The Centenary Companion to Australian Federation* (Cambridge University Press, 1999); Helen Irving, *To Constitute a Nation: A Cultural History of Australia's Constitution* (Cambridge University Press, revised ed, 1999).

22   See Brown, 'Escaping Purgatory', above n 2.

23   For an analysis of this agreement and the events leading up to its negotiation, see Janet Anderson, 'Health Policy as Contested Terrain in the Australian Federation', Chapter 14 in this volume.

24   See Brown, 'Fix the Broken Wheel of State', above n 4.

Figure 2 Future Constitutional Preference, By Support For Decentralism (%)
(other/don't know omitted)
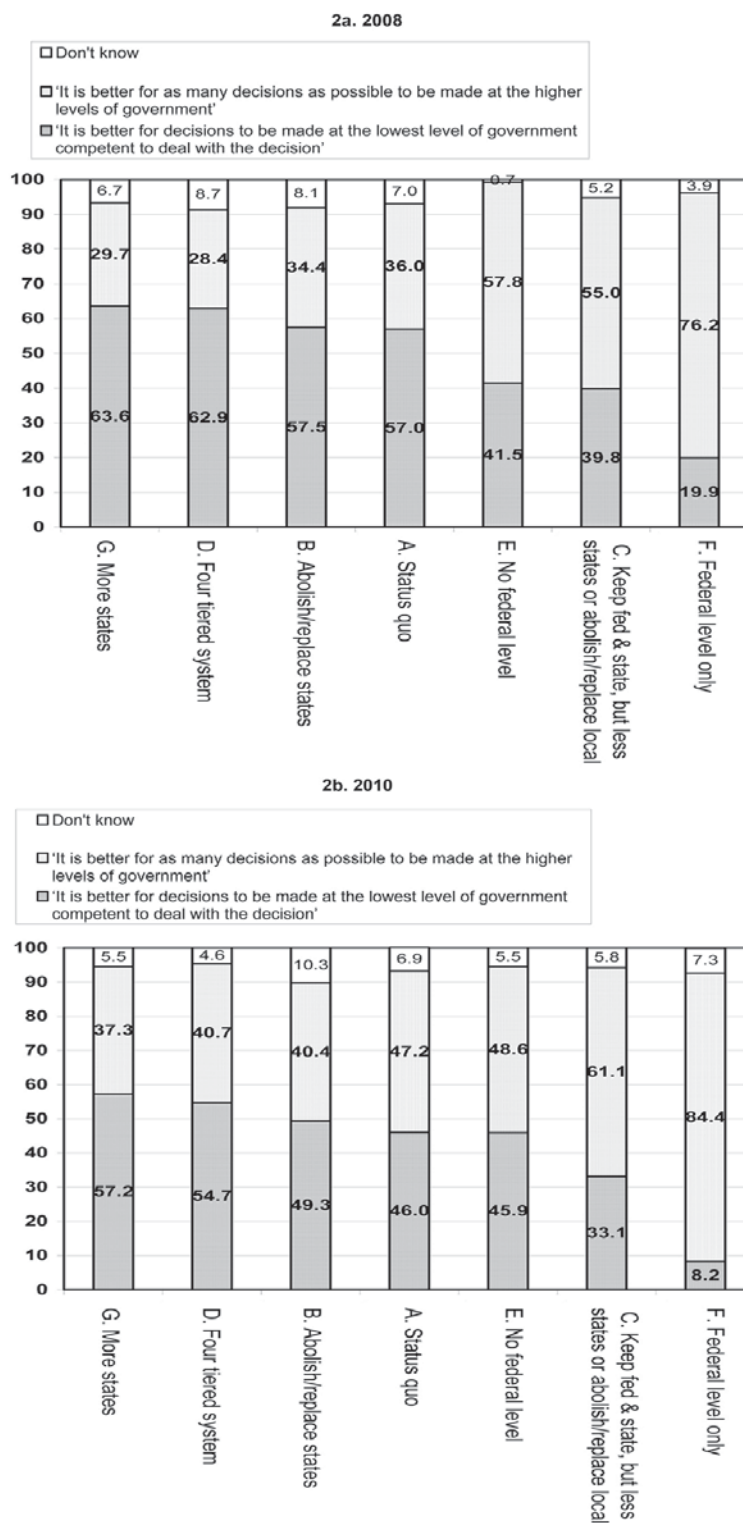
Note: This Figure has been previously published in Brown, above n 2.

federal and state governments but fewer states or abolish/replace local government). Just as there was unexpected support for abolition of the state level in jurisdictions presumed to value states' rights, there was surprisingly little, if any, difference between the proportions of centralists and decentralists among those who favoured scenarios A and B. In other words, contrary to the traditional assumption that state abolitionists must be more centralist than defenders of the federal status quo, this proved not to be so. In fact, many defenders of the basic federal system proved to be significantly more centralist than most of these abolitionist reformers.

This can be seen in the position of those favouring scenario C, which like scenario A entails retaining the current state governments. If A and C are combined as one group, then this group, which many constitutional scholars would see as containing the most 'federalist' respondents, is quite centralist by comparison with most of the rest of the population, including those who would abolish or replace the states.

These results cannot answer whether the different scenarios preferred by respondents would turn out to be more or less centralised *in practice*. However, they challenge assumptions that defence of the federal status quo (and especially state governments) necessarily reflects a more decentralist stance than advocacy of reform, or that reform advocacy (even when involving abolition or replacement of the states) automatically reflects centralist desires. Centralist and decentralist desires exist across all groups, in substantially similar measures in the main ones, with demands for decentralisation at least as strong as centralist tendencies among most constitutional reformers. To identify real differences in constitutional values between the main groups, it is necessary to go deeper again, and view these preferences through the prism of federal political culture.

IV A Federal or Unitary Culture?

While 'federal political culture' is an amorphous concept, international definitions focus on the extent to which a society values, acknowledges and reflects 'demands for the protection and articulation of diversities' within its national political system.[25] As Livingston suggested, 'societies in which the demand for integration is stronger than the demand for decentralization will produce a set of institutions that is more nearly unitary; and a contrary situation will produce a contrary result'.[26] In Australia, as identified at the outset, constitutional scholars have often seen federal reform attitudes as reflecting a continuing domination of British-style unitary values. However, the above results already show that the answer is more complex than the stereotype of decentralist federalists defending

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25   William A Livingston, 'A Note on the Nature of Federalism' (1952) *Political Science Quarterly* 67 (March): 81–95, 90; as quoted by John Kincaid and Richard L Cole, 'Citizen Attitudes toward Issues of Federalism in Canada, Mexico, and the United States' (2011) 41 *Publius* 53, 67. See also Cole et al, above n 5.

26   Livingston, ibid.

the current framework of state governments, pitted against centralist reformers trying to do away with both federalism and state governments. If most reformers are no more centralist than those who support the status quo, is it also possible that they are no less federalist?

In North American federations, John Kincaid and colleagues[27] have described federal political culture by recording respondents' level of agreement with four statements:

1. 'A federal form of government, in which power is divided between a national government and state/provincial and local governments, is preferable to any other kind of government' (agreement is considered pro-federal culture).
2. 'A country in which everyone speaks the same language and has similar ethnic and religious backgrounds is preferable to a country in which people speak different languages and have different ethnic and religious backgrounds' (disagreement is pro-federal culture).
3. 'Having a strong leader in government to make important decisions … is preferable to having a leader who makes important decisions by bargaining and negotiating with a wide variety of groups who have different opinions' (disagreement is pro-federal culture).
4. 'When making decisions, government is better off limiting discussion and participation to the fewest groups and opinions as possible, rather than involving a wide variety of groups and opinions' (disagreement is pro-federal culture).

Following a similar rationale, but using a different approach, the Australian Constitutional Value Surveys asked respondents to indicate which of a number of structural or institutional features associated with any multi-levelled system were 'a desirable feature, or an undesirable feature of having different levels of government'. The language of the questions deliberately did not limit this to federal systems. Table 3 lists the seven features offered (*a–g*), and the results. Even compared to the analysis in the previous section, there is remarkable similarity in the results across the two years, further suggesting that these reflect abiding values. For the purpose of classing respondents as more or less 'federalist', only attributes *a, b, c* and *g* are used in the following analysis, as most closely pertaining to features of federal rather than unitary systems. The remaining attributes are shared to a greater degree between all multi-levelled systems, but are useful in other analyses (for example, *e*, collaboration)[28] or can be used to help interpret the basic results (for example, *d*, capacity for innovation, as explained later).

Table 4 (*see over*) uses these data to divide the survey respondents across a spectrum from 'strong federalists' to 'strong non-federalists'. 'Strong federalists' are defined as those who found all four attributes desirable (*a*, division of power; *b*, legislative diversity; *c*, political diversity; and *d*, arguments between levels).

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27 See Cole et al, above n 5; Kincaid and Cole, above n 25.
28 See, eg, Brown, 'Escaping Purgatory', above n 2.

Table 3 Desirability of Features of a Multi-levelled System of Government (Australia) (2008, n=1201 and 2010, n=1100)

%			Desirable			Undesirable			Neither \ don't know	Total
			Very	Some-what	Sub-total	Some-what	Very	Sub-total		
a	Having power divided up between different levels of government	2008	30.2	38.3	68.5	13.5	11.9	25.4	6.2	100.0
		2010	29.1	38.4	67.5	15.6	11.3	26.9	5.5	100.0
b	Allowing different laws in response to varying needs and conditions in different parts of Australia	2008	29.3	30.0	59.3	13.3	22.8	36.1	4.6	100.0
		2010	32.5	23.8	56.3	15.3	25.4	40.7	3.3	100.0
c	Being able to elect different political parties at different levels of government	2008	45.2	30.7	75.9	9.8	9.4	19.2	5.0	100.0
		2010	49.4	32.3	81.7	7.2	8.0	15.2	3.1	100.0
d	Different governments being able to innovate and lead the way for others	2008	45.9	35.3	81.2	6.8	4.8	11.6	7.2	100.0
		2010	45.1	36.9	82.0	7.2	5.2	12.4	5.5	100.0
e	Different levels of government being able to collaborate on solutions to problems	2008	69.0	22.5	91.5	3.2	3.3	6.5	2.1	100.0
		2010	69.5	22.7	92.2	3.4	2.3	5.7	2.2	100.0
f	Overlap in the roles and responsibilities of different levels of government	2008	14.0	29.1	43.1	28.1	23.8	51.9	5.0	100.0
		2010	15.7	25.8	41.5	24.4	28.0	52.4	6.1	100.0
g	Different governments arguing over who is responsible for a particular problem	2008	6.9	12.2	19.1	18.2	59.0	77.2	3.8	100.0
		2010	10.0	10.9	20.9	18.0	57.9	75.9	3.3	100.0

In P. Kildea, A. Lynch and G. Williams (eds), Tomorrow's Federation: Reforming Australian Government, Federation Press, Sydney, 2012

Table 4 Australian Federal Political Culture: An Overview (2008, n=1201 and 2010, n=1100)

%	2008 (n=1201)	2010 (n=1100)	NSW	Vic	Qld	SA	WA	Tas	Subtotals	2008	2010
1. Strong federalists (*a, b, c, g* all desirable)	10.0	11.7	11.9	11.0	11.0	15.9	14.6	3.4	Strong/clear federalists	44.5	43.7
2. Clear federalists (*a and b* desirable, *c/g* undesirable/ don't know)	34.6	32.0	28.3	35.3	29.6	34.7	36.2	31.3			
3. Conflicted federalists (*a* desirable, *b* undesirable, *c and g* any)	21.6	22.2	23.3	19.2	23.3	20.1	20.4	27.6	Conflicted federalists/ non-federalists	33.6	32.1
Subtotal – federalists	**66.1**	**66.0**	**63.5**	**65.4**	**63.8**	**70.7**	**71.2**	**62.2**			
4. Conflicted non-federalists (*a* undesirable, *b* desirable, *c and g* any)	12.0	9.8	10.2	11.5	8.4	9.9	8.4	10.4			
5. Clear non-federalists (*a and b* undesirable, *c and g* any)	8.7	11.3	13.8	8.8	14.3	7.4	8.5	12.0	Strong/ clear non-federalists	12.7	15.9
6. Strong non-federalists (*a, b, c, g* all undesirable)	4.1	4.6	3.8	3.7	7.5	6.9	3.2	4.7			
Subtotal – non-federalists	**24.7**	**25.7**	**27.7**	**23.9**	**30.1**	**24.2**	**20.1**	**27.1**			
Don't know (*a* and/or *b*)	9.2	8.3	8.8	10.7	6.1	5.1	8.7	10.7		9.2	8.3
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0		100.0	100.0

'Clear federalists' are those who favoured division of power and legislative diversity, even if they saw either or both of the remaining attributes as undesirable. 'Conflicted federalists' supported division of power but saw legislative diversity as undesirable; while 'conflicted non-federalists' are the reverse, supporting legislative diversity but not division of power. 'Clear non-federalists' supported neither of these, and 'strong non-federalists' saw all four attributes as undesirable.

At its simplest, this analysis tends to support the assessment that the present system is destined to endure, because Australia's political culture is predominantly 'federalist'. Sixty-six per cent of adult citizens can be classified as such, their common denominator being the perception that 'having power divided up between different levels of government' is desirable. By contrast, only around 25 per cent of citizens are classed as 'non-federalist'. The pattern is similar in all states, although Western Australia, South Australia and Victoria are the most federalist communities, with Queensland, Tasmania and New South Wales the least federalist.

However, while these results appear consistent with Galligan's picture of a predominantly conservative federal culture afflicted by a persistent minority 'rump' of non-federalists, that picture is plainly too simplistic. As we have seen, even if mostly federalist, a majority of citizens are also not overly conservative, and instead see value in systemic reform. The explanation for this becomes clearer on the right of Table 4, which shows that even if two-thirds of citizens might be notionally classed as federalist, fewer than half (around 44 per cent in each survey) represent 'strong' or 'clear' federalists. This is still three times as many as can be classed as 'strong' or 'clear' non-federalists, but a large proportion (about a third of all citizens) fall into the 'conflicted' category. This result tends to support Saunders' theory that difficulties with federalism reflect a widespread prevalence of unitary values – not through any neat division between federalist and non-federalist individuals, but rather as an internal conflict in the minds of many citizens between federalist and non-federalist values.

Figure 3 (*see over*) thus provides a more serious window into Australians' constitutional values, following the same approach as previously, and ranking groups of respondents according to their reform preference (A–G), from most federalist to least federalist. A similar pattern emerges, as when these groups were compared according to their relative decentralism. The most federalist respondents (like the most decentralist) tend to be those who described a preferred future involving more states or a system based on four levels with the addition of regional governments. The least federalist (like the most centralist) were the pure unitarians who would abolish all lower orders of government, and have the country administered by only one national level of government. Supporters of the two main scenarios A and B (status quo, and state abolition/replacement) were very similar in their overall level of 'federality', with supporters of scenario

Figure 3 Future Constitutional Preference, By Federality (%)
(other/don't know omitted)

3a. 2008

3b. 2010
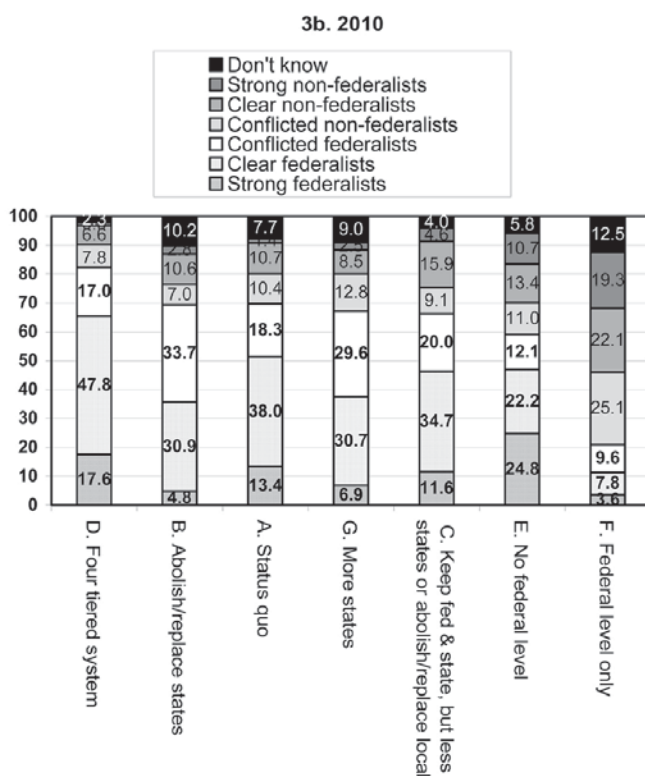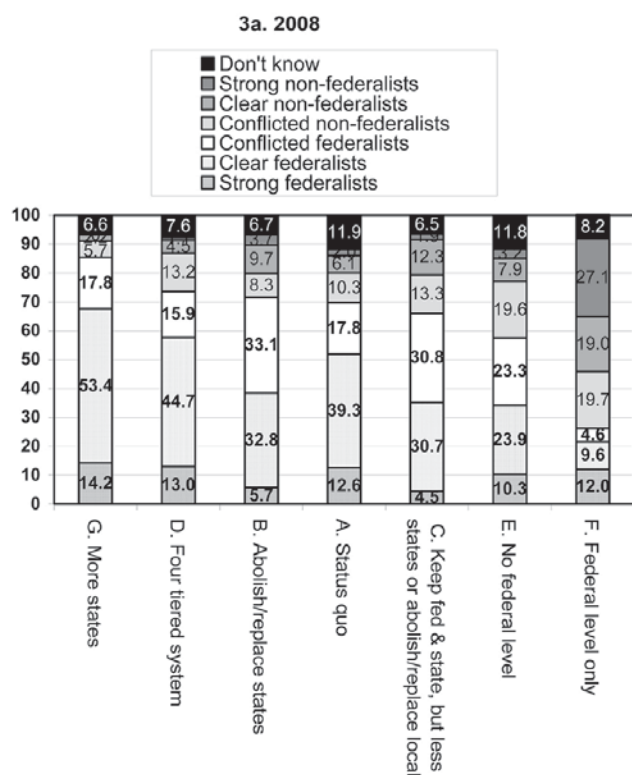
C (retention of the states within a more centralised system) showing less federal political culture than either A or B.

Nevertheless, differences emerge between the supporters of scenarios A and B. A higher proportion of those who support scenario B (abolish and/or replace the states) fall into the category of 'conflicted federalists' – around twice as many as in the case of supporters of scenario A (status quo). Instead, supporters of the status quo include a higher proportion of 'strong' and 'clear' federalists. As well as better explaining the overall landscape of our federal political culture, the presence of this large category of 'conflicted' respondents begins to point to some of the main drivers of reform sentiment, as well as what kind of constitutional and institutional designs might offer new solutions.

V Discussion

How might we make sense of the large proportion of 'conflicted' federalists within Australia's federal political culture, and who feature strongly among the supporters of the main categories of preferred reform? From the surveys, it appears that the main issue is unexpectedly low support among Australians for an attribute of federalism widely presumed to be an unqualified good: capacity for legislative diversity (*b*, 'allowing different laws in response to varying needs and conditions in different parts of Australia'). This capacity for legislative diversity underpins many federalist scholars' assurances that federalism is destined to survive, given their confidence, as Galligan put it, that 'the States bring government closer to Australian citizens than a unitary system would'.[29] Similarly, Anne Twomey and Glenn Withers have argued that Australia's federal system succeeds in permitting 'customisation of policies to meet local needs', accommodating 'differences in climate, geography, demography, culture, resources and industry across our nation', and bringing 'democracy closer to the people, allowing them to influence the decisions that affect them most'.[30] Yet in the surveys, fewer than 60 per cent of respondents identified this capacity for legislative diversity as a desirable feature of a multi-levelled system.

Part of the explanation may lie in the fact that irrespective of its desirability in theory, many Australians do not see legislative diversity as being delivered by the present system of state governments in practice. On top of the 41 per cent of all respondents who did not see legislative diversity as desirable in 2010, another 25 per cent of all respondents saw it as desirable but not being achieved. In either case, these citizens may see capacity for state legislative diversity as ineffective or unjustified because it has not proved genuinely responsive to the needs of communities at more local and regional levels. In addition, for many federalists who support the division of power, the problem may not be capacity

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29   Galligan, above n 7, 253.
30   Twomey and Withers, above n 18, 4.

for legislative diversity per se, but an assessment that in practice, state-based variation in law and regulation has gone too far. This may help explain the momentum behind campaigns for greater uniformity in regulation, including the COAG regulatory reform program aimed at creating a 'seamless national economy'.[31]

In either case, the results again indicate that support for abolition or replacement of the states may well be less a vote of no confidence in federalism per se than dissatisfaction with its present configuration. As we saw in Figure 3, those who support the creation of regional governments, in place of or in addition to the present states, are likely to be *more* federalist in their values than other citizens, not less.

The tension that seems to beset most Australians – federalists and non-federalists alike – is how to achieve a multi-levelled system which is properly responsive to the needs of communities at their various levels. Consistently with the history of Australian federalism, much of the reform pressure appears to have less to do with reactions against federalism in principle, than the ongoing search for scales of governance which more closely align with community needs and identities. The conundrum of lower-than-expected support for legislative diversity nevertheless leaves open the question of what kind of state or regional governance many Australians actually want. Even if the data also show support for greater national coordination and coherence in policy and services, most citizens do not want to see the present system replaced with an exclusive power of uniform national law-making vested in a single unitary parliament.

Table 5 emphasises these tensions by extending the analysis, using a further attribute of a multi-levelled system: *d*, the capacity for 'different governments … to innovate and lead the way for others'. While this attribute may be present in any multi-levelled system, it is often assumed to be present in federal systems specifically because, like capacity for legislative diversity, it reflects the greater autonomy that federalism is sometimes presumed to provide to sub-national governments. As the table shows, the vast majority of citizens who assessed legislative diversity to be desirable (88 per cent, or 49.5 per cent of all citizens) also assessed capacity for innovation as desirable. However, the reverse was not true – of the far greater number who assessed capacity for innovation as desirable, the same figure means that only 60 per cent also assessed legislative diversity as desirable. A very large group (31 per cent of all citizens) see innovation as desirable but do not see legislative diversity as a necessary or preferred means of achieving it. Again, the problem here may be less about federalism, than about a system which relies on the legislative autonomy of state Parliaments as a mechanism for delivering the desired innovation.

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31   See Mary-Ann McQuestin, 'Federalism under the Rudd and Gillard Governments', Chapter 1 in this volume.

Table 5 Desirability of Legislative Diversity and Innovation (2010, n=1100)

%		**d. Different governments being able to innovate and lead the way for others**			
		Undesirable	**Desirable**	Don't know	Total
b. Allowing different laws in response to varying needs and conditions in different parts of Australia	Undesirable	7.7	30.6	2.2	40.4
	Desirable	4.6	49.5	2.2	56.3
	Don't know	0.2	2.0	1.0	3.2
	Total	12.4	82.1	5.5	100.0

Taken together, the results suggest that support for many of the key attributes of federalism is quite strong, even though support for their present institution-alisation – through the inherited model of state parliamentary sovereignty and executive control – is clearly not. Along with issues of principle, what appears to be informing these competing visions of tomorrow's federation is a widespread belief, or at least suspicion, that structures, responsibilities and resources can be better aligned to deliver more effective governance. The scenarios preferred by many citizens confirm that part of these concerns relate to issues of governance scale (that is, what powers and resources are available to communities at what spatial level). The analysis in respect of federal political culture both reinforces this, and suggests questions of policy-making, implementation, engagement and other issues of governance style. While the perceived problems of Australian federalism may have many facets, causes and potential solutions, these data tend to reinforce the historical and structural dimensions of the system as factors in the mix. Consequently, they suggest that, in addition to sub-constitutional improvements such as the development and institutionalisation of collaborative capacity, tomorrow's federation may also need to be ready to adapt in more fundamental ways.[32]

VI Conclusion

This chapter has sought to establish whether there are differences in the degree of federal political culture shared by individuals and groups within the Australian community – and if so, what these differences indicate about how Australians think their federal political system should evolve. Federalism experts may

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32   On the dynamic between piecemeal and fundamental reform in the Australian federa-tion, see Alan Fenna, 'Adaptation and Reform in Australian Federalism', Chapter 2 in this volume.

continue to hold different views about the extent to which ongoing difficulties with the federal system might be owed, at least in part, to underlying forces of political culture. However, it is clear from the Australian Constitutional Values Survey results presented here, that understanding the relative value placed on different attributes of the federal system has become a feasible and necessary way of interpreting citizens' attitudes as a driver for reform.

The points of difference and intersection between the reform preferences of many Australian citizens, and the confidence of many in the status quo, also reveal a new picture of the tensions in current alignments between citizens' aspirations and their political institutions. To the extent that these are not aligning, then together with international perspectives and our own history, this description of federal political culture can also shed new light on possible directions for change. On their surface, these results offer no easy answer. Opinions as to preferred scenarios are sufficiently divided that for the foreseeable future, any simplistic attempt to reform the federal system purely through formal constitutional change, without first achieving a new consensus as to an alternative structure, would be doomed to be fail. Nevertheless, the results do reinforce the importance of reform which addresses the substantive dimensions of the federation's structure and functioning, in place of the more symbolic ideas and simplistic rhetoric about federalism that has tended to dominate the recent past.

A current example is the idea of formally recognising local government in Australia's federal Constitution.[33] As with other types of change, there is a choice between symbolic and substantive forms of federal constitutional recognition, as opposed to leaving local government as simply a creation of state and territory legislation.[34] While it is an important idea, these results suggest that recognition of local government will have little relevance to Australian citizens if treated simply as a means of ending the Constitution's symbolic silence about the existence of local government, for much the same reasons that similar proposals failed at referendum in 1974 and 1988. Popular support will be borderline at best, unless the reform is perceived as a more substantive measure for strengthening the quality of governance at local and regional levels, including as a means of overcoming or compensating for other perceived shortcomings in state governance and federal–state relations.[35] However if these more substantive benefits are perceived, the data suggest that such a reform may even stand good prospects of success.

33   On the challenges of achieving federal reform through constitutional amendment more generally, see George Williams, 'Rewriting the Federation through Referendum', Chapter 16 in this volume.

34   Nicola McGarrity and George Williams, 'Recognition of Local Government in the Australian Constitution' (2010) 21 *Public Law Review* 164.

35   See AJ Brown, 'In Pursuit of the "Genuine Partner": Local Government and Federal Constitutional Reform in Australia' (2008) 31 *University of New South Wales Law Journal* 435; AJ Brown and Ron Levy, 'Trust the People on Constitutional Change', *The Weekend Australian* (Sydney), 2 October 2010, 14; M Steketee, 'Into the Too-Hard Basket', *Inquirer, The Weekend Australian* (Sydney), 2 October 2010, 9.

The new picture of federal political culture provided here suggests that this lesson also applies more broadly. The prevalence of pro-reform sentiment in the Australian population cannot be productively understood if dismissed as simply, or automatically, anti-federal in nature. While Australian attitudes towards federalism contain elements of a 'love–hate' relationship, this is not best understood as a relationship in which most citizens love federalism, while others hate it. Contrary to some expectations, many love it, some hate it, and a critical mass of citizens both love and hate different elements of it at the same time, for reasons that may well be entirely rational. The reported data suggest that the system of government preferred by most citizens will remain a federal one in its basic principles, but this increases rather than reduces the need to deal constructively with the demand for reform. Rather than falling neatly on either side of a federal–unitary divide, citizen values occupy a spectrum in which key attributes often assumed by scholars and commentators to represent unqualified goods, especially capacity for legislative diversity, are looked upon by many with ambivalence, disapproval or perhaps disenchantment.

The challenge moves beyond one of educating citizens in the benefits of federalism per se – because for most Australians, even including most who would abolish and replace the states, it does not appear to be federalism per se from which they are seeking to be set free. Rather, it appears to be federalism as it has come to be constituted in its particular post-colonial context, including structural and functional dimensions which have long been subject to debate. While the tensions within Australia's federal political culture indicate that federalism is destined to continue on a troubled path, they also point to substantive stresses which policymakers are capable of addressing. The issues of governance scale, style and capacity raised in popular assessments are not unique to either federal or unitary systems, but rather relate to more tangible questions of constitutional design. Questions about why legislative diversity is perceived by many as undesirable, and by others as only inadequately achieved, can help identify new institutional options that will enable different roles and resources to be better centralised and decentralised. By being made more tangible, the perceived problems of Australian federalism may have been confirmed as fundamental – but, by the same token, they may also stand a better chance of being addressed by viable, practical, long-term reforms.