Left on the Shelf: Local Government and the Australian Constitution

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When the Australian Constitution was first written, those framing it did not include specific reference to local government. The authors have examined the federation conventions, papers and formal discussions of the 1890s and noted the little prominence given to the case for including local government in the Australian Constitution. It appears that the leaders of the federation movement did not deliberately exclude local government; rather, there was little pressure to include local agendas and concerns, and few were willing to champion the case for the inclusion of local government.

Prior to federation, each of the Australian colonies had enacted legislation to provide both legitimacy for local government and a framework for its operations. When the Australian Constitution was written, those framing it did not include specific reference to local government and, by default, defined local government essentially as a state statutory authority, although some states did provide firmer guarantees for the continuation of local government through formal inclusion within their own constitutions. In effect, local government was ‘left on the shelf’ by being denied a place in the new national polity.

It has been clear that local government has been ‘kept in check’ by these state and territorial local government Acts, which have, even after their reform in the 1990s, placed limitations on the scope of local government activities and services (Aulich 1999:1). It is hardly surprising, then, to find that local government in Australia has a limited range of local government functions compared with most OECD countries.

According to a 1991 survey of local government systems in 20 Western countries, the exclusion of local government from the national constitution places Australia in a small group of countries, an ‘Anglo variant’ of local government systems, which show a relative lack of enthusiasm for local democracy and where the health of the local authorities is in a more precarious state than in other Western polities (Marshall 1998:644). It is this situation that prompted efforts in the 1980s to seek constitutional recognition for local government.

This paper is the first of two that examine the relationship between Commonwealth and local government in the Australian federation. It focuses on the period leading up to the establishment of the federation and considers why the conventions, papers and discussions of the 1890s gave little prominence to a case for including local government in the Australian Constitution.

‘Excluding’ Local Government

To suggest that local government was excluded from the Australian Constitution may be misleading, since it does not appear to have been ‘excluded’ in a deliberate sense — rather, there was little pressure for its inclusion. Local government or municipal agendas and local government as a formal sphere of the federal
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government system did not feature prominently at the conventions or conferences concerned with the establishment of a federation and with framing the Australian Constitution (for summary details of the conventions and conferences, see Table 1). Local government matters were not given prominence even at the ‘People’s Convention’ of 1896, a convention attended by many mayors and other members of municipal, shire and district councils.

The omission from the Commonwealth Constitution of references to local government was due to a combination of several factors:

1. the anxiety of the colonies about the transfer of powers to a national government, and their corresponding desire to retain as many of their existing powers as possible;
2. an acceptance of the status quo nexus between colonial and local governments;
3. a view held by those who framed the Constitution, that local government was not seen as sufficiently important to warrant its inclusion;
4. concerns about the potential threat posed by a strong local government sector; and
5. the national, rather than local, focus of the federation movement.

These factors were sufficient to limit advocacy for local government and its agendas, and to ensure that local government would remain a

Table 1: Federation Conventions and Conferences

<table>
<thead>
<tr>
<th>Conference</th>
<th>Date</th>
<th>Place</th>
<th>Attendees</th>
<th>Selection of Delegates</th>
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<tbody>
<tr>
<td>Australasian Federation</td>
<td>6–14 February 1890</td>
<td>Melbourne</td>
<td>Up to two parliamentary delegates from each colony (NSW, NZ, Qld, SA, Tas, Vic, WA)</td>
<td>Appointed by the parliaments of each colony</td>
</tr>
<tr>
<td>National Australasian Convention Federation</td>
<td>2 March to April 1891</td>
<td>Sydney</td>
<td>Up to seven parliamentary delegates from each colony</td>
<td>Elected by the parliaments of each colony</td>
</tr>
<tr>
<td>Conference [Unofficial]</td>
<td>31 July to 1 August 1893</td>
<td>Corowa</td>
<td>Delegates from regional branches of organisations such as the Federation League, the Australian Natives' Association, and municipal councils</td>
<td>Appointed by the bodies themselves. There were apparently no restrictions on numbers or on who could attend</td>
</tr>
<tr>
<td>People’s Federal Convention [Unofficial]</td>
<td>16–20 November 1896</td>
<td>Bathurst</td>
<td>As above</td>
<td>As above</td>
</tr>
<tr>
<td>Australasian Federal Convention (in three sessions)</td>
<td>First Session, 22 March–23 April 1897</td>
<td>Adelaide</td>
<td>10 delegates from each of NSW, SA, Tas, Vic, WA (Qld did not send any delegates). Most, but not all, were members of the colonial parliaments. NZ had decided not to join the federation at this point</td>
<td>Delegates were elected by popular vote in four out of five colonies</td>
</tr>
<tr>
<td></td>
<td>Second Session, 2–24 September 1897</td>
<td>As above</td>
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<td>As above</td>
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<tr>
<td></td>
<td>Third Session, 22 January–17 March 1898</td>
<td>As above</td>
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“creature of the states”, struggling for legitimacy on the national political stage for the next century.

Limiting the Transfer of Powers to a National Government

The resounding refrain of most delegates to the constitutional conventions was that the powers already vested in the colonies should be little diminished by the establishment of a federal government. Sir Samuel Griffith raised the matter on the first day of the preliminary Federation Conference of 1890:

How far would the other colonies care to submit to any distinct acts of government by an executive with which they are not familiar? That difficulty arises from our common ignorance of each other. The difficulty arose when the three eastern colonies were governed from Sydney, and since that time a strong dislike has been shown to anything like centralised government. That is particularly the case in Queensland, where dissatisfaction has arisen just as it arose in an earlier period when Queensland and Victoria were governed from NSW. The establishment of a central executive would appear to many persons like going back to that old state of things, and it will be very necessary to explain, when bringing the subject before our several parliaments, that it is not intended to transfer to the Executive Government anything which could be as well done by the separate governments of the colonies (Official Record of the Proceedings and Debates of the Australasian Federation Conference 1890:55).

This concern not to surrender substantial powers to a national government led many convention delegates to look more to the constitution of the USA as a model for the new Commonwealth Constitution than to the Constitution of Canada. As Thomas Playford noted:

As far as the local Legislatures are concerned, I contend that it will be the wiser course to adopt to leave to them all the powers we possibly can, apart from such powers as they cannot exercise individually … Exactly the contrary course is pursued in the Constitution of the Dominion of Canada. There the local Parliaments are only a little bit above municipalities (Australasian Federation Conference 1890:71).

Indeed, the Canadian federal Constitution that had been discussed as a model but rejected by most at the conventions does include references to municipal government. It also contains reserved power provisions, which leave unresolved matters to national government control. The Australian Constitution was to be more minimalist, with all unenumerated powers remaining with the states. If there were no compelling reasons to make provisions, they were not included, and in Australia’s case this involved provisions for local government.

Barton summed up the position which became the accepted view: that as little power as possible would be ceded to the national government, and that local or municipal matters would remain within the ambit of state governments:

The causes which led to the separation of these states [Vic and NSW] still exist that is to say, the difficulty of governing provincial or municipal affairs from a common centre, and the inability to deal with national questions, has been the thorn in our side. Consequently, the terms of our union must be these: first, that we shall have a general authority with sufficient power to deal with those matters which are not provincial and municipal, and at the same time we must so safeguard that authority that in carrying out its functions it will not, little by little, take away from the functions of provincial politics what should still remain with the states … If you are going to do what was at first done in Canada, and give over to the parliament of the union legislative authority over both those large states in all their relations, and with regard to municipal and provincial affairs, you will have such an unwieldy form of government that the machine cannot go on. That was found out in Canada, and that is why Canada is now federated. And the federation of Canada, instead of being a step towards unification, has been a step away from amalgamation (Official Record of the Debates of the Australasian Federal Convention: Second Session 1897:626–27).

The new Constitution provided specific powers to the national government, with residual
powers to be held by state governments. Even among those delegates who wished to surrender more powers to a central government, local government was not usually one of the matters they envisaged as being properly within the national domain. Speaking for this group, James Walker asserted:

Speaking from our experience in New South Wales, there are two kinds of federalists. There are those who wish to put as little as possible under the federal control. These gentlemen call themselves ‘prudent’ federalists, but some of us think that they are anti-federationists. There is another section, and to it I am pleased to belong, the members of which desire to strengthen the Federation, so long as there is no derogation from state powers in matters affecting land legislation, education, trade, licensing, local government, European immigration, and so on (Official Record of the Australasian Federal Convention Debates: Third Session 1898:1299).

Griffith supported this view in enumerating state powers to include:

Their constitutions, the borrowing of money, the complete control of the government of the state, all the laws relating to property and civil rights, the whole subject of public lands and mines, registration of titles, education, criminal law and its enforcement, hospitals and such matters, all local works and undertakings, municipal institutions, imposition of licenses, the administration of justice, both criminal and civil (Official Report of the National Australasian Convention Debates 1891:525–26)

The new national government was conceived as a federation of colonies that would only minimally affect existing arrangements within the individual colonies. Henry Parkes described a ‘union of these Colonies, under one legislative and executive Government, on principles just to the several Colonies’ (Australasian Federation Conference 1890:20). Although some ‘provincial interests’ would have to be sacrificed for the purposes of federation, the identities of the colonies were not to be jeopardised: ‘To attempt to secure anything like uniformity would be most disastrous’ (Dr John Cockburn, Australasian Federation Conference 1890:144). This feeling remained over the many years of the conventions: ‘Clearly this Constitution is not designed for the purpose of adjusting differences that may occur between various sections of the States, but rather to prevent difficulties arising between the states themselves’ (William Trenwith, Official Report of the National Australasian Convention Debates: First Session 1897:1073).

Acceptance of the Status Quo Nexus between Colonial and Local Governments

Consistent with the minimalist notion of the preferred federal model, it seems that few were willing to tackle the question of unpicking the existing relationships between colonial and local governments. While some acknowledged a positive reason why the states should retain control of local government, in that the physical size of Australia would make it difficult for a central government to manage local affairs (the Honorable Philip Fysh, National Australasian Convention 1891:42ff), it was assumed by most that the current power nexus between colonial and local governments would remain.

Howard Willoughby, a professional journalist of the time, asserted that ‘to the States belong everyday matters’ (Willoughby 1891:27). Griffith was typical of delegates supporting this notion:

I suppose that no scheme of federation is likely to be entertained for a moment which would interfere with the complete control of the individual States over their own real and personal property, the laws relating to trades, contracts, local government, health, or any social experiment which they might desire to try, or any other matter concerning their social condition or welfare as civilised communities (Griffith 1896:4).

The one area where the functions and powers of local government were discussed was in relation to the control of loans and the financing of ‘localities’, presumably municipal government. Alfred Deakin took the view that ‘localities’ should be funded directly by the federal government from excise and customs duties, taking care to assuage concerns of those who might see this as an attack on state powers:
Each locality will look after its own interests, and the states as states will neither be injured nor benefited. The electors of Australia will decide. Certain localities, which it will appear to the federal parliament desirable to make the subjects of expenditure, will be benefited. In my opinion, one great advantage of this proposal is that it would tend to lessen the bargaining, the dealing, the chaffering on federal matters, between the states (Australasian Federal Convention: Second Session 1897:55).

When warning against the dangers of taking too much power from the states, Deakin also pointed out that it would be unwise for colonial governments to ‘enfeeble’ municipal institutions ‘in order to aggrandise [state] Parliament, the fact being that parliamentary government depends very much for its smooth and easy working upon the smooth and easy working of the minor local bodies’ (Australasian Federation Conference 1890:92).

Delegates were, however, particularly sensitive to proposals which might reduce the power of states or which might lead to ‘unification’ rather than federation. In responding to Deakin’s proposal, delegates argued that ‘state control is more direct and effective than federal control!’ (John Gordon, Australasian Federal Convention: Second Session, 1897:55) and ‘If the hon. and learned member’s argument means anything, it means the destruction of the states and the establishment of unification!’ (William Lyne, Australasian Federal Convention: Second Session 1897:56).

Lyne was particularly vociferous in his concerns:

He [Deakin] instanced Dubbo and Goulburn as two places where the federal parliament might expend money directly without allowing it to filter through the hands of the state. I interjected at the time that that was approaching unification, and I think it would be, because if you are going to destroy your states by taking away the money they should receive, and put them in such a position that they cannot raise revenue, except by direct taxation of a very heavy character, you must bring them so low that we might as well have unification, everything being managed directly by the commonwealth government and the system of shires and boroughs being extended all over the continent (Australasian Federal Convention: Second Session 1897:99).

This position was also supported by Edmund Barton, and became the preferred outcome of the conventions:

the revenue and the financial position of the various colonies would be so impaired and hampered that they would become municipalities instead of self-governing communities. That is alien to the spirit of federation. The result of that would be to destroy federation. It might substitute a legislative union; but we are charged under the Enabling Act with the framing of a federal, and of no other form of, constitution (Australasian Federal Convention: Second Session 1897:205–6).

William Trenwith remained one of the very few who conceded that there may be a place for local government in the new federal arrangements:

I take it that in each of the colonies there are a number of things over which the Central Parliament has control, but in the management of which it does not interfere. Take in Victoria our somewhat complete system of local government. The Central Parliament has control over all the municipalities, but it creates laws under which the municipalities, not the Central Government, shall manage the affairs of the localities. And I take it that when we arrive at some means for giving the Federal Parliament control it will provide machinery under which the various municipalities can manage their own affairs under such conditions as will not be prejudicial to the welfare of any of the colonies concerned (Australasian Federal Convention, Third Session 1898:139).

Deakin and Trenwith lost the battle, and it is noteworthy that Deakin did not mention this particular debate in his book, The Federal Story (Deakin 1944). The possibility of providing federal government funds directly to local government was not to emerge as a formal policy issue until the 1970s.

Low Status of Local Government

In 1990, Finn described local government as the ‘Cinderella’ of Australia’s public administra-
tion as it ‘simply has not won for itself that place in our polity which a long history has given it in Britain’ (Finn 1990:49). Comments made during the constitutional conventions indicate that this perception mirrors the very modest esteem in which local government was held a century earlier. In raising concerns about the possibility of states becoming disempowered in relation to the formation of a national government, Andrew Thynne pleaded ‘I ask the hon. members for New South Wales, do they wish to see the Parliament of New South Wales in the same way stripped of its power and influence, and relegated to the position which is merely accorded under the present system to local municipalities?’ (National Australasian Convention 1891:402–3).

This position was confirmed by Larcombe who argued that, in the late 19th century, the colonial government of New South Wales was ‘oblivious to the retarding influences of limited sources of revenue, niggardly endowment and permissive incorporation’ (Larcombe 1961:46). At the same time, he noted that other states, especially Victoria, recognised some of these deficiencies and had attempted to remove them.

There were some who spoke derisively about municipal government. In responding to proposals to allow individuals to sit as members of both state and federal parliament, Simon Fraser protested that ‘The local parliaments would be mere shire councils then!’ since precedence would have to be given to federal matters (Australasian Federal Convention: Second Session 1897:999). Willoughby (1891:47) concluded that ‘Australians have lived under a municipal, a provincial, and an Imperial Government, and the greatest of these to them has been the provincial authority; practically, it has been all in all’.

Charles Duffy, who had been premier of Victoria in the 1870s, was concerned by those who failed to grasp what he saw as the immense difference in importance between the responsibilities of local and colonial government: ‘Some of my colleagues [in the Victorian colonial parliament] had been municipal councillors, and scarcely realised the difference of the new position they occupied from the old’ (Duffy 1898:194). For many of those involved in colonial parliaments, municipal councils were little more than an administrative convenience.

Importantly, in 1901 there were large tracts of the country, especially in NSW, South Australia and Tasmanina, that had not been incorporated under local government (Power et al. 1981). This may have provided the colonial governments with a rationale to represent ‘local’ interests, given that municipal government clearly did not do so with respect to all citizens in the colonies:

It will be remembered that when the colony [NSW] rushed into the Federal Union it did not possess a system of local government; and much of the expenditure for local needs which ought to have been controlled by local authorities was left in the hands of her [colonial] Parliament (Robertson 1897:48).

The following exchanges at the convention of 1898 concerning the possible borrowing powers of the states underline the lack of a coherent view about the place that local government occupied in the 1890s. Simon Fraser argues for local government as the manifestation of the will of the people, but Sir George Turner is concerned about profligate local government that justifies colonial government intervention — a debate which, 100 years on, is far from resolved!

Fraser: It would be absurd to attempt to prevent the states from borrowing. The states must borrow and must be allowed to do so. The shire councils now borrow, and are we going to give less power to the states than we give to our shire councils?

Turner: We could legislate in the state Parliament to prevent the shire councils from borrowing.

Fraser: You can?

Turner: Of course.

Fraser: I tell you that you cannot.

Isaacs: What would prevent us?

Fraser: The shires would not allow you to do it. That may seem a strange thing to say, but it is true.

Turner: The rate payers in the shires would be very glad for us to exercise a strong control over their borrowing.

Fraser: Apparently the Parliament of the state has unlimited power, but it derives that power from the people, and it cannot, now or at any time, fly in the face of the people. It would be absurd to try and
The role that local government could play in the development of the Commonwealth of Australia was perceived as minimal or non-existent by some, while for others it was uncertain. For almost all, it was a safe conclusion that there was no reason to include local government in a Constitution that was to be as unproblematic as possible.

**Concerns about the Potential Political Power of Local Governments**

Paradoxically, while some delegates to the conventions assumed that municipal government was not sufficiently important to warrant the attention of the federal government and hence inclusion in the Constitution, others actually worried about its potential for disruption of federal–state relations. They expressed concern that a robust local government sector might inject unwanted tensions into the federation, especially if their powers threatened the influence of state-level government. Andrew Thynne argued that local government in the USA was becoming more demanding and posed a threat to state powers:

> We have found … that the influence of the states is being gradually diminished and taken away by the growing influence and powers of the local bodies — by what we may call the municipal government, until at the present time the position of the states is far different to what is was originally intended to be (National Australasian Convention 1891:402).

Sir George Turner (who was once a municipal councillor and mayor) and Edmund Barton echoed this concern:

> We know from experience that our municipalities are always pressing the Government to get as much as they can possibly get for their various works (Turner, Australasian Federal Convention: First Session 1897:45);

> We know that however stiffly we may provide by our local Acts that there shall be no relation between the Central Government and the local and municipal bodies, there is always the endeavor by the latter to get the better of them (Barton, Australasian Federal Convention: First Session 1897:374).

While some may have feared the latent powers of local government, others expressed concern about the way that local government operated:

> All these [public] works were done by what the capitalists term private enterprise — that is, they were let by a friendly Government to their own class on contract, and paid for out of loans floated in London. Fortunes were made by contractors. One railway contract, one big bridge or large building was sufficient to enable a contractor to retire for life. Municipalities were established, governed by the same class, and carrying on in the same way, added to the openings for private gain at public loss. The waste of public funds was enormous and cannot be estimated. Huge buildings were erected, the elaborate furnishings of which rival those of the palace of an Eastern potentate (Spence 1909:563).

Some of the concerns about a stronger system of local government may have remained from earlier plans proposed by Earl Grey. In 1842 Grey had approved legislation to introduce district councils into NSW, which had provoked opposition on the part of the colonists, labelling it as ‘unwarranted interference’ from the ‘Home Government’ (Cramp 1913).

> In 1847, Grey had recommended a bicameral system of parliament for NSW where municipal councils were popularly elected, and they, in turn, elected the colony’s Lower House, the Upper House being nominated. ‘Grey’s abortive proposals had been coldly viewed in Australia, partly because they were his, and partly because in their first form they did have doctrinaire aberrations’ (La Nauze 1972:1). ‘It is thought by some that the adoption of local government schemes were retarded as a consequence, and the population taught to depend too greatly on its central government’ (Cramp 1913:32).

**Nationalism and National Focus**

The federation movement has been described by some as a popular movement based on intense nationalistic feeling regarding what it meant to be an Australian (Birrell 2001:16). Birrell argues that the federation movement was
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inclusive, and that many, such as those in the labour movement, saw involvement as an opportunity for all to be accorded equal status by virtue of their membership in the national community. For others, however, federation ‘represented less the birth of a nation and the culmination of patriotic feeling, than a readjustment of colonial relations, a somewhat shabby deal among the colonies based on deep suspicions and self-interested manoeuvring’ (White 1981: 111). For still others, federation ‘appears to have been widely regarded as a business merger, arranged mainly by businessmen largely in the interests of businessmen’ (Norris 1975:39).

Whether it was a ‘constitutional device recommended by apologists for bourgeois democracy for containing political equality’ (Clark 1981:139) or a genuine nationalist movement, and whatever the motivation of key players, federation was about nation building, about issues that transcended local and particular interests. Reformers, nationalists, power brokers, businessmen, and apologists for bourgeois democracy were enveloped in a movement (or consortium of interests) with a national rather than a local focus. In this environment it was hardly surprising that local and municipal interests did not find their way onto the agendas of the conventions and conferences. Even Alfred Deakin, who supported the role of municipal bodies in the running of a federated country, recognised the potential for derailing the grand plan of federation if other debates of less importance were allowed to prosper. From the outset of the federation movement, he stressed that ‘there should be and must be nothing antagonistic between a Federal Government supreme in its sphere and … [state] Governments supreme in their spheres’ (Australasian Federation Conference 1890:92).

While colonial governments dominated the proceedings at conventions and meetings, later meetings and conventions were more inclusive of other interests. For example, the ‘people’ who went to the unofficial Bathurst Convention ‘were men from a broad group of associations, by far the majority of them from New South Wales: other Federation Leagues, the Australian Natives’ Association, Municipal Councils, Chambers of Manufactures’ (Irving 1999:144–45).

Local governments were never formally represented at the conventions, however, many with municipal government backgrounds or elected by local communities were chosen as delegates:

It is instructive to note the ever-widening basis on which these succeeding conventions were founded. The delegates of the first convention were nominated by the Governments, those of the second convention were elected by the Houses of parliament, while the members of the final convention were elected by the direct votes of the people. The result of furnishing this broad basis was the awakening of public interest in the work of the convention, which was sufficient to carry the movement through all its stages to a successful issue (Cockburn 1901:52).

Despite the dominant role of colonial politicians at the conventions, there is some evidence that the local sphere of government was supportive of directions chosen. The conventions received telegrams of congratulations and wishes for success from various municipal councils (Australasian Federal Convention: First Session 1897:142). Further, at least some of the outcomes of the conventions were formally endorsed by representatives from local governments:

On May 19 [1897] an important Conference of Municipalities, which had been convened by the late Sir Malcolm McEacharn, then Mayor of Melbourne, was attended by over two hundred representatives, including the Mayor of Adelaide and two Aldermen from Hobart, and motions were carried favouring the [constitution] Bill, and pledging all present to active service in its support (Wise 1913:347).

It was reported that in South Australia, the ‘local town councils opposed federation because it would ‘crush’ local industries and their ratepayers were ‘dead against it’ (Norris 1975: 25). However, there appear to be few other reported instances of systemic local government opposition to federation or to the provisions of the new constitution.

Conclusions

The failure of local government to find its place in the Australian system of government has been due to many factors, relating not only to the formal political and legal constitution-making
process, but also to the position of local government in social and economic life more broadly. These latter factors include the relative recency of European settlement. By the 1890s, there was not the deep attachment to local areas as was then found in many European countries. As one of the delegates to the convention, Bernhard Wise, noted:

Is there any similarity between the history, or the circumstances of Switzerland, and the history and the circumstances of Australia? It is hardly possible in the first place to imagine a greater physical contrast than that between the wide and almost waterless expanses of this country, and the high mountains and deep valleys of Switzerland, which delay the growth of towns and separate the people by an immense variety of diverse local interests. Indeed, such is the isolation of the several parts of that most interesting little territory, that almost the only interest which they have in common is the love of independence. And as if the divisions set by nature were not wide enough, the people are separated further by differences of language, so that in a territory no larger than the western district of this colony, men in the French, German, or Italian districts cannot understand each other’s speech. Is it any marvel that, in a country so peopled and so situated, local government should flourish as local government has flourished nowhere else? (Australasian Federal Convention: Third Session 1898:2188–89).

In a formal sense it was the continuing uncertainty about the possible role and relevance of local government in the federation that prevented local government interests from emerging at the conventions in the 1890s. No coherent and robust arguments were raised to justify the inclusion of local government in the Constitution nor were there any champions of local government willing to raise its case for constitutional recognition. There was also an absence of a determined groundswell from localities to promote their inclusion in the new Constitution. Federation in Australia was not about the inhabitants of Bathurst and Ballarat joining forces, but more about New South Welshmen and Victorians seeing themselves as Australians. The effects of this meant that a case for inclusion of local government in the first Australian Constitution was never made.

When such a case was finally presented to the Australian people in the 1988 referendum it did not prove sufficiently persuasive to change the original constitutional arrangements with respect to local government. This acceptance of status quo political arrangements is consistent with the argument that, once constitutional divisions have been established, there is a tendency for them to be defended as an appropriate distribution of powers. Citizens accommodate themselves to the familiar and that which is familiar seems to make sense (O’Faircheallaigh et al. 1999:99). If being ‘left on the shelf’ becomes a position of permanence for local government in Australia, it does raise questions about whether it can claim to be part of the national polity or, rather, exists primarily as an agent for delivering public services on behalf of other spheres of government.

Notes
1. The authors are grateful to the Institute of Public Administration Australia/University of Canberra Public Administration Trust Fund, which provided funding for this research project.
2. The term ‘local’ government was not in universal use at the time as many preferred to use the term ‘municipal’. Colonial or provincial arenas were often referred to as ‘local’. This is an indication of the view held by some that municipal councils were administrative agents rather than political bodies.

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