Collaborative / Cooperative Federalism

In these times of pragmatic or opportunistic federalism, collaborative federalism is often portrayed as some type of utopian federal state. “Why can’t we all just sit around at the table and resolve our differences?” While it is, as Painter (1998: 23) points out, a “slippery concept,” there is agreement that it involves cooperation and collective action on the part of State and Federal governments to address common problems. Hence, Painter goes on to describe cooperative federalism as “a particular style of intergovernmental relations that evolved out of a perception of a common agenda of problems (and, in some instances, solutions) at the level of ‘high politics’.” Although applied to Canadian federalism, Cameron and Simeon (2002) describe "collaborative federalism," as the process by which national goals are achieved, not by the federal government acting alone or by the federal government shaping provincial behavior through the exercise of its spending power, but by some or all of the 11 [Canadian] governments and the territories acting collectively.

Yet, as Saunders (2002) has observed, there is no agreed position upon just what the respective governments should collaborate.

Following Saunders (2002: 71–73), though, it is possible to discern some of the characteristics of collaborative federalism in the Australian context in terms of:

- **coordination**, involving collective action to address such problems as drought / water management that cross state borders. States are also invited to participate in negotiations of international treaties in cases where State interests will be particularly affected;
- **harmonisation**, efforts are made to ensure that State and Commonwealth legislation do not clash and, possibly, force the Commonwealth to challenge the State’s legislation under s.109 of the Australian Constitution, which states that when Commonwealth and State legislation conflict “the Commonwealth shall prevail”;
- **financial assistance**, specifically the use of specific purpose payments, can be used to further collaboration between the States, Territories and Commonwealth on issues of mutual concern or be exploited by the Commonwealth to further its own policy agenda;
- **ministerial councils**, constitute collaborative arrangements between the States, Territories and Commonwealth to exchange information, discuss policy formulation and coordination, and establish protocols and regulatory frameworks in different policy areas; and
- **intergovernmental agreements**, which formalise arrangements between the Commonwealth and State ministers and set out the objectives, duration and procedures.
Further Reading:


