

What would make government tolerable?

Published: January 12, 2026, 9:33 pm

The events of the last few days have posed a number of questions.

One is, why do we have governments when, if they are captured by those with the intent to abuse, they can be so destructive?

Another is, why don't we have mechanisms to prevent the capture of government by those who are intent on abuse? Shouldn't there be very clear flags that indicate that abuse that permit a constitutional court, or something equivalent, to prevent such abuse from taking place?

Importantly, why is it that we have politicians who are so intent on abuse?

At the same time, why do we have others who appear so unable to call it out?

These questions are, of course, all at the core of political economy. What they all relate to is how we might find an appropriate balance of power within a society where the interests of people, the need for government, the activities of business, the role of the civil service and the power of ideas and those who promulgate them must almost always exist within an uneasy relationship, one with the other, and between which we need to find mechanisms to ensure that government might operate in the interest of the people of a jurisdiction to best effect most, if not all, the time.

In that previous paragraph, there was an implicit statement of priority. I suggested that a government must operate on behalf of the people of the jurisdiction it governs. Theories of democracy have, of course, indicated that electoral processes that permit choice between candidates who are free to stand for office let the interests of people prevail.

However, those claims are almost invariably made by those who have succeeded in using such systems to advance their objectives. Successive leaders of the Labour and Conservative parties in the UK are clear evidence of this.

Democracy in the form that the UK has is, in itself, an insufficient mechanism of

protection because:

- * Not all people choose to vote.
- * Like many electoral systems, ours fails to represent the broad range of interests of the electorate, either because the voting system denies that opportunity or because the promotion of alternative political opinions is made extremely difficult.
- * Once an election has happened, there is very limited real accountability for those making decisions and almost no chance to force their replacement, even when it might be very clear that this is required.

I am hardly the first person to have considered these problems, and I will certainly not be the last. Let me, however, offer a few thoughts.

Firstly, unless the interests of the people of the country are required to be the priority of its government, with a bias being demanded towards those most vulnerable in that society, there is almost no chance that those interests will be best served. Having a requirement in a constitution that this must be the case is, therefore, a minimum necessity for good government.

Secondly, that requires that a series of tests that might assist determination of what is in the best interests of people, whilst recognising the necessary bias towards those who are most vulnerable, be an essential part of such a constitution so that an appeal against the actions of a government acting in contravention of those criteria can be made.

An example of such a test might be a requirement that no action should be taken by a government that prejudices the well-being of those least well off (who should be defined) in that society when it can be shown that other choices of action are available to it.

In addition, a requirement should exist that states that no action takes place that might prejudice the interests of one group in society to advance the interests of another group unless it can be shown that the group securing advantage is that which is least well off. The requirement must, in effect, be that all be treated equally without any of the usual bases for discrimination in favour of the well-off being used, with the sole exception that redistribution to those least well off be permitted.

Third, there must be a constitutional court. Crucially, those on whom it passes judgement should have no chance of interfering with this.

I offer these ideas as nothing more than a starting point and a basis for discussion. And for those interested, the underpinning philosophy is that of John Rawls.