

## Who is to Blame?

Let's try and pull all this together – the context, what's wrong, the nineteen causes. The roots of failure may seem many and diverse; but the themes are common.

We all criticise government. Many say we should not be so harsh. Certainly, if you or I worked in that system we would struggle to do any better. But all the criticism of the system is justified. To use a chant from the football terraces – it's crap and it doesn't know it is.

In the course of writing this book I have come to realise that the current system demands cash for honours, and requires secret deals with news media empires. That is the price of election, not the occasional product of a sleazy prime minister or two. The current system leaves ministers and civil servants wide open to preferential lobbies that are, therefore, rife – any industry lobby usually gets what it wants at our expense. And leaves these industries soft and flabby and globally uncompetitive – a pretty poor industrial policy. And, in its effect, the constitution insists on bulk spinning – everyone becomes a spinner. It does not have to be this way, but that is the system we have.

I have come to realise the contribution to government failure made by the systems according to which party leaders are elected, and of the way parties are funded; of the maldistribution of political authority, of over-politicisation and apoliticisation, and misplaced power all also generating failure.

The consequent concentrations of power creep up on us – in party politics, in government, in banking, in large companies, in the

news media, and in large public sector organisations and their cousins running government services in the private sector. At first we accept it as an inevitable and acceptable price to pay – for efficient business, for example. But it never stops and eventually it goes way too far. It is currently rated ‘taking the piss’. Parts of these functionaries of our country behave well, but far too many do not, and their behaviour dominates in many adverse ways – seen and unseen.

The problem is not that politicians are only in it for the personal power (although some are), or that senior civil servants are clinging on to their status and cashmere terms and conditions (although they do), or that if only a different party were in power all would be well (it never is), or that public sector staff are too used to warm and fluffy work lives (although many are). We find politics in the wrong places, like scorekeeping, and kept out of the right places, like making things happen. All of this behaviour is the product of what the system of government demands and allows – the rules that stipulate how government should work. Slack rules allow slack behaviour, what you can get away with, duck, or bodge. There is nothing to say it should be otherwise. No controls, no imperatives, no disciplines ... on governments (not on us). All organisations need these. Who is to blame?

The fundamental conclusion is that the reason governments fail is because they have not been designed. They have not been designed to succeed. They fail because they have far too much authority, far too little discipline on what they do, and too few rock solid obligations written into tamper-free constitutions. They fail not primarily because of the leaders and policies of the parties, but because the system in which they operate is so out of date that failure is inevitable. They and we are locked into a government system of vast dysfunction, with a default setting for muddle and error. What surprises me is when things work.

Why, then, do we continue to use the old banger for governments to ride in? Because the rules for governments – as distinct from the rules for us – insist on it. This is the point to talk about the C-word. Constitutions lay down how governments should work, what they can and can't do, the obligations on them. Our constitution is the rulebook for those in power. It should never be left solely to the political classes and academics to debate and amend, as happens now.

Constitutions are like the rules for a game – and we know if the rules are good the game is too, and if they aren't we give up on it. Constitutions have to be obeyed by governments – the courts and the judiciary stand at their end to enforce them. Our constitution needs to work much harder. If we raise the bar then we raise what is demanded of government.

Organisation starts (and often stops) with its constitution. Indeed, the hidden hand of a constitution is found at the heart of much organisational success and failure. A constitution is a set of fundamental principles according to which a state is governed: what is required of a government; what is allowed and not allowed; how power is deployed; the independence of the judiciary; rights and responsibilities. Why are our constitutions so inadequate in such important areas? Because the constitutions of governments were written or originated a long time ago, and the remit of government has expanded very considerably in the last century or so. Their scale today would astonish nineteenth-century rulers.

Most constitutions were designed or had their origins 200 years or more ago, from the American (1787) to the French (1958, and with eighteen subsequent amendments). Magna Carta – the best constitution Britain has ever had – was written in 1297 in the form still partly on the statute book. These constitutions were designed to ensure democracy, the rule of law, and human rights. Good. But just ponder that since those objectives became enshrined, little has changed other than very limited attempts at extra 'check and balance' on government decision, introduced usually in response to some crisis or other.

Then think about how much has changed in the world of government in the last hundred years, and even the last sixty. Decision-complexity has risen exponentially with population, with the number of countries, with globalisation and the scale of country to country competition, with global finance, with technology and with science; the power of bodies influencing government for better or worse is out of all former proportion, at times seemingly unstoppable – financial institutions, large businesses, and the news media; the pressure on resources is biting; and, if that were not enough, climate chaos is set to grow. What's more, less is up for political judgement and more for professional delivery as experiments in capitalism versus socialism, inherited versus social justice, have reached their conclusion.

Consequently, governments have not been designed for their modern primary purposes. Today they run very large public services and regulate major industries. Governments have become major doers and deliverers and they are expected to solve most problems. The bureaucracies of delivery have an inevitable tendency to become ends to themselves rather than servants of society – they become inward turning in the absence of forces that make them look outside. When the constitutions were written, governments delivered hardly any services, and faced none of these issues of direct delivery.

Constitutions were never invented to control corporate power. The rights of man came about to protect the individual from arbitrary acts of absolute monarchs. Every democratic constitution in the world has these provisions, and the concomitant independence of the judiciary. In the days when constitutions were being thought about very hard and instituted, marauding corporates did not exist. If they had, the founding fathers here and everywhere else would have had a substantial part of the constitution devoted to protection of the individual against unrestrained or insufficiently restrained corporates, be they legal or illegal. Businesses of current scale are a modern occurrence and their power has grown with their size. Some are near totalitarian in outlook. They lobby in private to prevent increased competition, to maintain an armlock on a common need like pensions or food, and to see off the interests of the public.

Neither were constitutions designed to handle the disproportionate power wielded by today's news media. The news media has become pervasive with the means of distribution multiplying – a huge leap in scale and therefore influence from the original printed sheets for the few who could read. Deals for political support in exchange for business benefit are standard practice on a small and large scale. For as long as government decisions are skewed towards corporate, media and other sectional interests, citizens and consumers will come a long way last.

Governments were not designed with today's debt in mind. Historically, debt was incurred to wage war. If it was left to grow and comparative excess prevailed, countries went bust or revolutions broke out, as in France in 1789. Thus controls were grim but effective. Today they are not, debt is easier to obtain,