



Guide to Good Government

Advances in communication technology have had a profound impact on humanity. Instant access to information has changed almost every aspect of our society, from work and leisure to shopping and news consumption. But one area of our lives remains stubbornly stuck in the nineteenth century: British politics.

Our antiquated electoral system is no longer fit for purpose. Modern politics is mired in scandal, and trust in our elected representatives is at an all-time low. The ability of citizens and the media to hold our politicians to account has been severely curtailed.

UK democracy needs a radical overhaul based on an informed electorate, able to participate in an inclusive democracy that can unite our country's people and produce a fairer society for all.

Before planning any renovation, one must decide what a good outcome should look like. This document outlines the basis of a re-set, a complete British constitutional settlement that is fit for the twenty-first century. Its principles have been written to kickstart the national conversation about what we should aspire to as a country.

The last decade has shown us that the old assumptions do not hold. We cannot simply expect integrity and competence. We must ensure them through a new constitutional settlement based on rights and obligations that become encoded in law.

The ALL Principles of Good Government

1. First Duty of Government

The first duty of government is to protect and enhance the well-being of all citizens. A 'democracy', in Lincoln's terms, is 'government of the people by the people for the people'. Any government for all the people is duty-bound to exercise *equality of concern* and *equity of treatment* for all.

2. The Right to a Voice

In a representative democracy, we exercise our voice through voting. In a world of complexity and constant change, a single action every five years does not transfer absolute authority to any government.

A right to a voice entails that the action must *have an effect*. It must be proportionally represented. Otherwise, it has no effect. A democratic legislature must reflect and respect the diversity of opinion, preferences, and interests among the people via a proportional electoral system.

Government should engage citizens in complex decision-making using citizens' assemblies. Feedback procedures are required that genuinely seek consultation. A legal right to a meaningful response to citizens' petitions at every level of government is needed.

Government departments run a wide range of consultations on many issues, which sometimes engage only a few groups of affected stakeholders or are ignored if responses contradict government priorities. All consultations should therefore be overseen by parliamentarians, as elected representatives, in the national forum for policy and debate.

3. Representative of the Population

Democratic government is for *all the people*, not for a group, class, interest, or faction consisting only of some people and acting primarily in their interests.

For all the people means that democratic government is neither majoritarian nor minoritarian but inclusive in its aims, duties, and purposes. Society is a diverse collection of individuals and minorities, and a majority is only ever a temporary coalition of minorities relative to some issue.

A system of proportional representation is a fundamental plank of democracy. Any system that does not have a balanced electoral system is not democratic. The equality of voice is associated with other equalities: equality before the law and access to the law (getting legal remedy is a right and should not be a privilege restricted to the wealthy).

Exercising governance cannot be achieved by solely being a party representative.

Democratic government is not minoritarian because a single group or faction in society cannot dictate policy, law, and the administration of both, for the totality. The objective of generating consensus is essential to real democracy. When consensus cannot be reached, as often happens given the diversity among minorities, majority agreement is taken as a basis for action and, unless it violates minority rights, as the rational way forward in the full knowledge that some minorities will be disappointed.

Government representatives should reflect the population's diversity and be drawn from all nations, regions, and social groups.

Currently, the UK uses a variety of electoral systems, and it is time for a more representative system to be adopted for English local elections and UK-wide parliamentary elections.

4. The Right to Just Laws

The law shall be protected and enforced by the government and the people, as no one is above the law. The understanding and execution of the law without grace or favour maintains political, social, and economic order in a democratic society.

5. Accountability

Periodic elections are crucial to embodying accountability. These must take place within a mandated period after the preceding election.

The Executive is accountable to Parliament. There is a duty of candour to Parliament and to provide timely remedies to the findings of Parliamentary committees.

Systems for the continuous scrutiny of the performance of duties by elected and appointed officials, with means of recall, safeguard against poor governance in the intervals between elections.

Anyone who assumes legislative or executive responsibilities must be held to high standards of probity and efficiency: it is arguable that failure should be an offence at law and that there should therefore be, for all who stand for political position, means for scrutinising their qualifications beforehand, and audit of their behaviour when in post. The Nolan Principles should apply at all times.

Individual representatives must be governed by a right to recall for gross misconduct and criminal behaviour.

6. Transparency

There must be a duty of candour and formal legal requirement to inform Parliament about the conduct of the Executive.

Transparency on public policy and its effects is also required. Independent audits of the likely impact of legislation, under a constitutional requirement that the effect on all in the state should be explicitly evaluated, to ensure that government is not *parti pris* but serves the democratic reason for its existence: to work on behalf of all and the public good.

The effect of such constraints is to elevate government above party politics, which has its appropriate place on the hustings beforehand, in the general national debate at all times, and in the actual formation of government – but not in the business of government itself as either to obstruct its duty to the people or render it hostage to partisan interests.

7. A Codified Constitution and Bill of Our Rights

A constitution is a statement of the *source, definition, and location* of power in the state and sets its limits. A codified constitution exists to make democracy manifest and to give effect to the fundamental principles or axioms of *democracy* itself.

A constitution imposes transparency, consistency, predictability, answerability, and accountability on politicians and governmental orders. It must be responsive and flexible but not subject to political

whim, fashion, or temporary emergencies. It must be explicitly designed to promote fairness and justice and the welfare of the state and its citizens, together with what enables them. It must place the rights and interests of citizens at the heart of the duties of government.

It must therefore protect against factionalism and the suborning of the political and governmental processes to the service of the interests of a single class or group.

A constitution infers duties on the government to protect citizens' inalienable rights, including human, civil, economic and environmental rights.

At the very least, these critical components of the state's constitution should be expressly codified:

- the electoral system and franchise,
- the relationship between the nations in the Union,
- the rights of all within the borders of the state,
- the nature, extent, and limits of the functions and powers of government institutions at all levels and their interrelationships.

At the minimum, a proportional representation system will reduce the risk of one-party partisan rule. A clearly defined process for referendums and their management is needed before deployment, with a legal requirement of a super-majority for any substantive constitutional change, with a two-thirds majority in both Houses of Parliament.

The optimal arrangement is that the legislative, executive and judicial powers should be separate and housed in independent institutions, with defined roles in respect of one another. The part of the Fourth Estate is to be protected, and access to accurate information is a vital requirement of any democracy.

A Bill of Citizens' Rights confirms the acknowledged rights of individuals under national and international law. Changes to and removal of any rights require a two-thirds majority in both Houses of Parliament and elected assemblies of all four nations of the UK.

8. The Second Chamber, Ennoblement, and the Honours System

Concern about the role of the House of Lords and, in particular, its size, cost, purpose and appointment process are widespread. The role of the second Chamber needs to be widely debated as part of a national constitutional reset.

There are alternative models on offer. One option is to be an elected or selected expert revising Chamber, a de facto Senate. Another is to form a body representative of the nations and regions that upholds and protects the constitution and the rights of citizens, undertakes consensus building and national integration in the Union, and acts as a revising Chamber. Both ideas have merit, and a citizen-led deliberative process should find a consensus on the way forward.

Whatever purpose is agreed upon, inclusion should only be for individuals of merit and ability. All appointees should be vetted by an Independent Appointments Commission to ensure essential propriety screening. The role of hereditary peers and bishops should be abolished as part of any modernisation.

A new British honours system, removing all references to the Empire. The Independent Honours Commission selects candidates for public titles who have outstanding achievements for their service or are the living embodiment of British values. The UK Prime Minister and the constitutional monarch will no longer have a role in ennoblement nor the giving of honours.

9. The Right to Productive Government

The right to good government and just laws necessitates a right to government acting in the people's best interests. At the minimum, this means rational, evidence-based government. One that is responsive to the diverse requirements of the state and its people, and that, in turn, means that government is not exercised in the interests of a faction, a class, a race, a gender, or any one part of the community.

The government is given the right to collect tax on the nation's behalf, and the prioritisation of policy choices and spending must be directed to achieve the publicly stated goals of any administration, not the enrichment of any individuals or favoured classes.

In each election, voters are offered a different programme by political parties. It is reasonable that there should be an independent evaluation of whether the resulting Executive has completed its agenda.

10. National Metrics for our Social Contract

A case can be made on *constitutional* grounds about a government duty to provide security, a welfare net, fair opportunities, and equal regard and concern for all, on the principle of ‘equality of concern’, viz. the idea that through the instrument of government, society should ensure that education, opportunity, health care at the point of need, and assistance when in economic distress, considered as together providing the basics for social participation and minimum decency of life, is an entailment of the concept of democracy itself. International treaty obligations also relate to our human, social, economic, and environmental rights, and these must be protected.

11. Monitoring Positive Change

If we accept human, social, economic, and environmental rights, then developing metrics to monitor national progress is required. Independent evaluation of progress against those metrics is part of delivering the democratic mandate of any government. Select Committees should undertake a post-legislative review, with all findings made public.

12. Permanent Renewal

As a society, the nation’s needs and the global situation evolves; we must adapt and change. Any codified constitutional settlement and National Social Contract must be reviewed periodically to reflect the nation’s needs.

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