4 The Problem of Government

I Introduction

From earliest times man's main activities have been concerned with providing for his needs and defending himself from attack. The two objectives are related: since resources are limited, the temptation exists for others to seize them.

On the other hand man has learned that both objectives can be achieved more effectively through co-operation. Thus total output is increased if persons do that job at which they are relatively best (see p. 13). Similarly with defence there is safety in numbers. So men came together in communities: settlements were sited at the intersection of trade routes and in easily defended positions.

But when people live in communities (indeed, even as a family) rules are necessary to regulate the relationships of individuals within the community or to promote the wider interests of the community as a whole. Thus communities formulated rules: there is now some form of government. Such rules not only covered personal behaviour, as with many of the Ten Commandments, but decided how defence should be organised and paid for. At first, however, economic activities were fairly free from state supervision: provided private-property rights were respected and contracts enforceable, transactions through the market proceeded smoothly and efficiently.

In time, however, any form of government changes, as regards both its structure and powers. For instance, in England it was soon realised that trade could be made to contribute to the costs of government. Thus in the fourteenth century England was taxing the export of wool. Two centuries later, government interference in the economy was extended by the Mercantilist policy, where the taxation of imports and the encouragement of exports had the wider objective of strengthening the national economy. To do this the government had to assume considerable powers of control.

This illustrates the basic problem of organising government; while sufficient powers must be given to the government so that it...
can carry out the wishes of the people effectively, there must be some check on those powers developing into unbridled authority. The fact is that people who govern like exercising power. Or, as Lord Acton put it: 'Power tends to corrupt and absolute power corrupts absolutely.' Hence the government, like any other club or society, has to be run according to recognised principles and rules which lay down the institutions which may be set up and the powers that they can exercise. Moreover, if this 'constitution' is to work satisfactorily, it must prove flexible to changing needs, be understood and accepted by the people, and respect the opinion of minority groups.

The branches of government

It is usual to divide government into three branches, corresponding to the three main functions of government:

(1) Rules, i.e. laws, have to be laid down to regulate people's actions in the wider interests of the community. Thus all road users proceed faster when everybody keeps to the left and overtakes on the right. These laws are passed by the legislative branch of government – Parliament.

(2) Laws have to be administered, finance raised and the state run efficiently. These tasks fall to the executive branch of government – the Prime Minister, Cabinet and government departments.

(3) The laws have to be interpreted and enforced. This is the function of the courts – the Judiciary.

In Britain all three are connected by the Crown (see Figure 4.1). Later we study each in more detail.

Fig. 4.1
The three branches of government

Solving the problem of government

A constitution then has two broad aims: (1) allowing people to choose a government having effective powers to carry out their wishes; and (2) ensuring that ultimate control is retained by the people. Before examining the organisations of government it is helpful to consider these broad aims, for they eventually determine the lines upon which institutions work.

1 A government with effective powers

At least once in five years Britain has a general election. Voters put a cross against the