

L.S.E Lecture – Tuesday May 4th, 2004

Dr Geoff Mulgan (speaking in a personal capacity)

Good and Bad Government: change and continuity in the uneasy relationship between morality and power

My day job involves me in the practicalities of policy design and implementation. This evening, and taking advantage of being able to speak in a personal capacity, I want to stand back from the world of budgets, targets, laws and agencies to talk about the ethics of government, recognising that this is a difficult and sometimes uneasy topic.

Donald Rumsfeld said of the US government that there were only two things it did well: nothing and overreact.

I want to set out some of roles of the state that lie between these two extremes.

I'll try to show the continuities in how states have sought legitimacy, and how they have thought of their fundamental duties; I'll describe the evolution of new ways to keep states focused on these duties rather than on their own interests; I'll explain why the tasks facing states may be becoming harder to legitimise, and why we may have as much to fear from states that are too weak as from states that are too strong; and I'll set out the threats to good governance that may come from the interaction of inequality, oligarchy, disinformation and distrust. Finally, I'll suggest some possible solutions.

The two faces of the state

Let me start with some very ancient history. Ever since the first recorded states appeared some 5000 years ago states have presented two faces to the world. One has been that of a master, associated with law, command and coercion and a view of power as a possession, to be captured, hoarded and protected. It's a view that has been legitimised by an influential tradition of political theory that took its purest form in the ideas of the Legalists in China, who believed that everyone and everything should serve the state, and that brutal force should be used to punish a dumb, mischievous populace. Machiavelli and his 'realist' successors elaborated a similar view for a world of competing states. These ideas justified empires in sucking vast rivers of wealth up from the land, as well as more modern kleptomaniac rulers like Mobutu or

Noriega, and they gave carte blanche to other rulers who simply took pleasure in power, manipulation and brutality – Saddam Hussein’s capriciously vicious behaviour with his own cronies (executing colleagues in the middle of meetings – probably a temptation for all leaders) being an extreme example.

These have been the realities of state power for billions of people. But while keeping these realities in mind I want to focus this evening on the other face of the state: the idea of the state as servant, an idea associated with duty, care and guardianship; and with power as a gift, to be reciprocated and shared through service.

The consistent duties of states and claims to legitimacy

If you examine the historical evidence this other face turns out to be almost as ubiquitous as that of the commanding master. As Weber pointed out most states aspire to legitimacy as the precondition for survival and loyalty. I want to argue that looking back at the evidence, states claims to legitimacy have followed a remarkably consistent pattern broadly fitting into a fourfold architecture of ethical claims and duties.

Protecting the community

First, states have claimed legitimacy by ensuring the community’s survival, and protecting it from mortal dangers. Failure to preserve the community is the ultimate failure for any state, and in the past the duty to protect has overridden all other concerns, including everyday morality, easily justifying cruelty and deceit in the writings of Machiavelli and Sun Tzu, Morgenthau and Kissinger.

This duty is at the heart of every state’s implicit contract with its public, and shapes a core character that reappears at times of threat. It brings with it what Jane Jacobs called the guardian syndrome – concern for territory, the long view, anticipation as well as response, vigilance and a degree of paranoia – and provides a direct continuity from the petty chieftain to the modern superpower.

For the public this role has always been ambiguous, since it justified states becoming monopolists of force, which in turn made them a threat: a tension captured best in Aesop’s fable of the horse which is being attacked by the pig and asks for help from the man. The man says that he would like to help, but will have to harness the horse first (in other words, from the very beginning, freedom depends on subjection).

Yet this duty to protect also brings with it complex dynamics: it makes rulers and ruled interdependent since rulers need people and money for their armies. And it creates wider obligations since, as Thomas Hobbes wrote in the *Leviathan* over 300 years ago, ‘the weakest has strength enough to kill the strongest, either by secret machination or by confederacy with others’, so that the strongest have no choice but to care about the lives and needs of the weakest, and security is never solely a matter of guns and borders, an argument that has special resonance now as states grapple with the radically new threats of immensely dangerous technologies falling into the hands of terrorists on the one hand, and climate change on the other.

Promoting welfare

The second consistent source of legitimacy for states has been their support for the welfare of citizens. This has required laws and regulations to enable commerce and trade, but also a surprisingly long history of programmes to ensure adequate food distribution and alleviate poverty which can be found from third millennium BC Sumer to Republican Rome.

In the last century, democracy pushed this role to the fore as states dramatically extended their responsibility for welfare, protecting citizens from the risks of ill-health, crime, insecurity and poverty, and transformed parts of the state into a flotilla of curers, carers, therapists and regulators, some involved in the most intimate details of private life. This expansion of roles contributed to a remarkable improvement in the length and quality of people’s lives, now measured in a host of indicators of human development, life satisfaction and welfare, and in its next phase the pursuit of wellbeing is now engaging governments in the subtle challenges of shaping behaviour and coproduction.

Promoting justice

The third consistent source of legitimacy has been the promotion of justice: punishing the guilty, resolving conflicts, and achieving a just distribution of goods. A sense of justice is part of our make up, visible in children from an early age. Small communities organised justice informally; then as states grew, sovereigns took on ever wider roles in arbitration and punishment until modern societies formalised the role of the third party who can ‘audi alteram partem’ (the legal principle of

hearing the other side) and mediate, arbitrate and punish. To fulfil this role states have become rule-makers and enforcers on an epic scale, extending the scope of justice to include social justice, global justice, gender justice, intergenerational justice, discrimination and the state's own procedures.

As with protection and welfare, justice cannot be delivered by the state alone. Solon's law in ancient Rome required anyone who did not take sides in a civil war to be punished – a law intended to ensure that the whole of the body politics used its weight to pacify warring factions. Today we have nothing quite equivalent. But we continue to resist a fully professionalized justice system, and hold onto the use of lay magistrates and juries made up of citizens.

Promoting truth

The fourth source of legitimacy has been truth. Originally these were truths about the cosmos, reinforced by godlike kings carrying out rituals to maintain order in the world.

More recently states have legitimised themselves by reference to knowledge and reason, with constitutions founded on truths that were taken 'to be self-evident' (including the preamble to the European Constitution which gives a nod to the primacy of reason). Akbar in 16th century India was probably the first great leader to promote reason as the highest value of his state at a time when Islam had much to teach Christianity about tolerance and enlightenment.

Then, throughout the 19th and 20th centuries, as states expanded their reach, they spawned new professions, built around intellectual technologies with new concepts and measurements and techniques of control; curriculums that sought to systematise what needed to be known; political rhetoric ostensibly based on knowledge about human nature; and bureaucracies based on what we today call evidence based policy.

Many of these claims were fallacious, self-serving and hypocritical. It is said that if you torture the data enough it will confess to anything. Mao and Kim Il Sung were not content to be the greatest statesmen and poets in human history: they also had to be the greatest scientists. And this history lends support to believe that there can be few if any settled truths.

But as Nikolas Rose has argued 'to govern is to be condemned to seek an authority for one's authority', and that has to come from a claim to truth.

A state which did not even bother to make any pretence to truth would be a deeply nihilistic one, capable of regulating the day to day conduct of teachers, police, doctors and officials only through fear.

Just as important, truth claims create the space for reasoned argument, and indeed much of the history of radical change, from decolonisation to social reform, can be told as a story of how truth claims by states were turned against them.

An ethical architecture

These four claims to legitimacy – protection, welfare, justice and truth - form a consistent ethical architecture and a continuous thread – at least of ideals - from the very earliest recorded states to the present day. Three examples at 2000 year intervals illustrate the point.

Ancient Sumeria was the first large scale state recorded in history, built around a complex planned economy. King Ur-Nammu of Ur who reigned around 2100 bc, exemplifies the roles I have set out. In addition to upholding the religious duties of the state and promulgating laws, he also promised his people – in surprisingly modern terms - that he would ‘establish equity in the land and banish malediction, violence and strife’.

Nearly 2000 years later, the first great realist political theorist, Kautilya, adviser to the Mauryan empire, described in the Arthashastra the duties of the ruler in much the same ways: protection of the state from external aggression; safeguarding the welfare of the people; maintenance of law and order within the state. He presented these as ethical duties – aspects of rajadharma which, like dharma more generally, is an immanent truth about the world, but also justified them in terms of self-interest because when an ‘unjust king is attacked his people will either topple him or go over to the enemy.’

2000 years later again, government in Britain, like most of its contemporaries, describes its duties in very similar terms: security, prosperity and welfare, justice and the pursuit of knowledge. These duties also shape the dividing lines in politics. The election contest between George Bush and John Kerry can be interpreted as an argument between the primacy of protection and the primacy of well-being, overlain by a dispute about the state’s truthfulness and bona fides.

I will explain later why until recently most states claims to legitimacy were more cosmetic than real. But their pervasiveness over time and

space is a reminder that although the character of states has changed hugely, as power has become syndicated, professionalized, distributed and networked, the fundamental needs of human communities have not changed much, and the real test of leadership remains what it has always been, whether it gives a society what it needs, not what it expects or necessarily wants.

These four sources of legitimation or moral duties are mirrored at successive levels in the very fabric of the state and of society: they correspond broadly with ministerial roles - the main Ministerial roles in Chou China at the end of the second millennium bc were war, economy, punishments, education and rites (what we would today call public relations), not unlike the main jobs in a contemporary Cabinet.

The four roughly correspond with the professions most associated with states (respectively soldiers and police, doctors and social workers, regulators and economists; lawyers and judges; scientists and academics), each with its own ideals, and restraints on abuse of power, and its own longstanding arguments about whether professional knowledge is a possession to be exploited or a gift to be shared.

At a more profound level these four also correspond with what could be called the ethical syndromes or outlooks that underpin society, respectively: the guardian syndrome I've already mentioned; utilitarianism; proceduralism; scientific reasoning, all of which have to be mastered, and their contradictions managed, by political leaders.

2. Differences between states and those they serve

So the claims to legitimacy have not altered much. But what makes political life so complex is that states have always had interests at some variance from those of the people they serve.

These are likely to be stark in the case of aristocracies, monarchies, dictatorships and oligarchies. But even in the most democratic polity there is bound to be some difference of interest between the public and the specialist decision-makers acting in their name. Any president or civil servant is likely to value their survival in power, even if that conflicts with other duties, and over several decades public choice theory has explored the many strategies they might follow in competing for resources and status, acting as maximisers rather than servants.

The likelihood of diverging interests between rulers and ruled is recognised in most political traditions, which have sought to define when it was justified to revolt and overthrow bad leaders: in ancient China, for example, the tradition descending from Mencius that once an immoral ruler had lost his heavenly mandate the population had the right to overthrow him; and in ancient India the Mahabharata's sanction of revolt against a king who fails to protect or oppresses (and the Dharmashastra's description of kings as servants, removable if inadequate). The more we learn about past societies the more it becomes apparent that revolt was commonplace.

Yet some traditions have denied these differences, claiming a perfect identity between leaders and led. Underlying much politics, and religion, is a search for a primordial oneness – a lost unity that can be interpreted in psychoanalytic terms. It is evident in nationalisms; the Communist brotherhood of man and the feminist sisterhood; in the Swedish social democratic Folksheimat; in the aspiration for a return to the Caliphate now being talked about on the streets of London or Algiers; all embody this mystic dimension of politics. Yet, the division of labour between rulers and ruled makes some tension unavoidable, and has led many traditions – particularly progressive ones – to experience moments of profound disenchantment as their leaders appeared to betray, to be coopted, or to serve themselves rather than the cause.

Devices for aligning states and citizens

If there are unavoidable differences of interest between states and those they serve, how is it possible to align their behaviour with the four fundamental duties described earlier?

Democratic elections are of course part of the answer, and have forced states to make more of a reality of welfare, justice and truth. But the democratic paradox remains that while in theory the people rule, in practice it's governments that govern.

In the ancient world it was generally assumed that the qualities of leaders were what mattered – Plato's Republic, Kautilya's Arthashastra, and Confucius' Analects all attempted to systematise what these qualities should be, and how leaders should learn ethics. The most important constraints on abuse of power were thought to be internal: selfdiscipline and selfcontrol.

Ethical learning retains a place in the formation of many civil services around the world; some time ago the Kennedy School insisted on introducing it for their MPAs (to the bemusement of many of the economists); and ethical reasoning is even taught to politicians in some of the newer democracies. However, many ruling elites have rather lost sight of the importance of cultivating self-discipline and a culture of service.

Neoliberal ideology, which sees all such ideas as a sham, must share some of the blame. But it reflects the more general modern assumption that external constraints are the most important determinant of ethical behaviour and service.

Some of the constraints to contain what in modern language we would describe as principal-agent problems, have a very long lineage. Much of ancient Rome's history can be read as the ultimately unsuccessful attempt to achieve a balance of powers against kingship. The Mamelukes – slaves recruited from outlying regions to run the Egyptian state so as to minimise the temptation to form dynasties or accumulate wealth – were a radically inventive device to reinforce a culture of service (and as recently as the 1960s Lee Kuan Yew discussed with his advisers whether Singapore might create a Mameluke style corps to run the country).

But devices to align leaders with ethical duties are mainly associated with democracy, and with trying to solve the problem that Rousseau described when he wrote that 'it is against the natural order of things that the many govern and the few are governed... the moment a people provides itself with representatives, it is no longer free.' So although the fundamental principle that the people can vote their leaders out is the starting point, other devices have been necessary to align the behaviour of states with the needs of their communities. These are a few:

First there are prohibitions on direct power - so that the day to day powers to arrest, punish, or fine are now held by relatively junior officials who strictly have much more direct power than those above them. A modern Prime Minister can't even fine someone for dropping litter.

Second there is open recruitment to political and administrative elites, the use of lay people as jurors, magistrates, councillors and term limits to hold in check excessive professionalisation of representatives or presidents.

Third there is the design of electoral systems to promote circulations of rulers and strong oppositions, so that those in power expect to be out of it and vice versa. As Gregor Gysi, the leader of the ex-communist PDS in Germany put it well in their slogan for the election of 1994: good government begins with good opposition.

Fourth is the use of delegation, mandates and manifestos (an approach opposed vehemently by Sir Robert Peel who said of manifestos that they bring ‘all the constraints of contracts magnified by the far greater possibilities and uncertainties of government’, but that has now been extended with the use of targets and quantitative pledges).

Fifth is subjecting leaders to the rule of law (contested territory when several contemporary leaders have invoked immunity to keep clear of the courts), and ethical codes of conduct and regulators – like the UK’s Committee on Standards in Public Life

Sixth are unassailable basic rights guaranteed by independent courts to provide a shield against abuse by the state and to symbolise equality of power (Tom Paine painted the purest image of democracy – shattering the crown of royal dominion and giving each citizen a jewelled piece)

Seventh are external obligations, like treaty commitments to human rights or fiscal rigour, self-imposed constraints to incentivise virtue.

Most of these were virtually unknown 200 years ago. All are now mainstream.

Just as important are another set of constraints, concerned with knowledge and information.

They include legal guarantees for independent media to investigate and scrutinise; citizen rights to government information (more than two centuries old in Sweden, a few months from implementation here in the UK); and direct support for criticism (one of the peculiarities of modern states is that they don’t simply allow criticism, they actively fund it through independent public service media, NGOs, and universities that publish reports on the folly of government policy).

As I said earlier truth has always been a central source of legitimation for states, the authority for authority. But the modern state is far more dependent on external knowledge for its legitimacy than any predecessor. It depends on a vast flow of facts, investigations, audits. It learns through

pilots, evaluations and real time feedback. It functions through networks, sharing data and knowledge – like the health collaboratives in fields like cancer care, or the industry of economists around the monetary policy committee. It opens itself up – so that citizens can look up details of the performance of my school or police force on the web. And it enables civil society and the economy to function by providing information: for example reliable information on diet and obesity, currency reserves, weather forecasts and security (last week MI5 even put some of its threat assessments on the web).

Validation

However, because the bona fides of the state are often seen as suspect, the legitimacy of its production and use of knowledge is never unproblematic. Instead we have come to rely increasingly on a distinctive new device to regulate this production of knowledge, and to judge behaviour more generally, a device I will call validation: appointing third parties to assure, inspect, and investigate.

This is the principle long applied to companies; to professions and public services; and to government through the National Audit Office and Audit Commission. Globally, it has become commonplace. The EU has adopted the principle of open coordination, using peer pressure and transparency to encourage better behaviour by governments – for example reducing the temptations to run up debts for future generation. Some governments have enthusiastically embraced these external constraints rather as smokers are often the strongest supporters of smoking bans. The IMF and World Bank act in similar ways, reporting on country policies, making recommendations (often amid controversy). Their role is reinforced by independent initiatives like Transparency International monitors which corruption levels and the partnership between states, companies and NGOS which has formed the Extractive Industries Transparency Initiative to reduce the temptations for resource rich states to line their own pockets at the expense of their citizens.

No validator has a monopoly of truth, and all are subject to valid criticisms. Sometimes they can be used to legitimate bad decisions. External audits can corrode trust. But taken as a whole they have tended to make states more accountable and to improve the quality of decision making (one definition of power is the ability to get away with mistakes – they make it harder to do so).

To understand how they work I find it most useful to think in terms of the dynamics of the whole system of governance.

Ethical qualities do not arise solely from constitutions or from individuals with good characters. Instead, seen through the lens of systems thinking, what matters is the interaction of the ethics of leaders (what Francisco Varela described as the ethical know-how that is formed as much through practice as through rules), the structures, incentives and constraints that formally reward or punish them, the feedback that comes from the wider community of experts, critics and commentators, and finally the expectations and demands of the public themselves.

Each of these contributes to good government, and each of these shares some responsibility for whether we get it or not. When they are aligned good results follow, though each can be the weakest link.

There is some evidence that in much of the world these systems supporting more ethical behaviour have become more entrenched and aligned. The UK government's recent Strategic Audit, which looked at how different nations were performing in economic, social and environmental terms, certainly showed a close link between strong ethics and societal success: all the best performers turned out to be smaller nations with very open systems in the economy and in politics, that is to say systems that reward performance and innovation; deeply entrenched democratic cultures; very low levels of corruption; and high levels of human and social capital.

Against this optimistic view, however, there are some fundamental reasons why legitimisation may be becoming more complex.

Are the state's tasks becoming harder to legitimate?

One is that the tasks facing states may be becoming inherently harder to legitimate: protecting against terrorism and other threats; renegotiating social contracts to cope with ageing; or averting climate change (a critical task when so many past states died as a result of their failure to avert the destruction of their habitat – southern Iraq, once the heartland of civilisation, being a good example) all require more rather than less legitimisation, some difficult sacrifices, and changed behaviour on the part of the public as well as the state.

It has always been true that any constraints placed on states have to be balanced against the risk of weakening states so much that they are

unable to carry out their duties. Nearly all of the constraints I listed earlier have in practice been suspended when nations have faced mortal dangers. State agencies may exaggerate threats for their own reasons, but it is equally common for comfortable societies to fail to face up to imminent threats.

At the moment, none of the constraints on states are preventing them from taking necessary actions. But some of the newer tasks may in time require stronger states, which may in turn require higher levels of legitimacy, which may in turn be harder to achieve given the features of the wider system within which governments operate.

Cultural and moral divergences

The need for more legitimation may focus attention on the ways in which unavoidable differences of perspective between states and citizens have become more apparent in a media saturated environment.

In the past these didn't matter. Indeed, many past states tried to magnify the cultural gaps between rulers and ruled. The ground where Japanese emperors shadow had passed was considered dangerous. The crockery they ate on had to be smashed. None could look in their face. For the same reason once a Spanish monarch had ridden a horse, no-one else could do so. Awe and ritual reinforced the gaps. JA Pocock once wrote that wise rulers in traditional societies avoided giving commands because commands are direct and verbal and invite the possibility of disobedience, whereas rituals are not verbal and therefore have no contraries.

Modern states are very different, and try to be accessible and legible. But they too operate in a distinct cultural environment. They are, at heart, mechanisms for bringing order. As a result, their employees will tend, as James Scott put it, to 'see like a state': mapping, measuring, controlling, planning and perhaps too often seeing people as means rather than ends. If anyone with a hammer tends to see all things as nails, all states tend to see the rough edges of life as problems to be managed or contained. They can easily forget Lao Tsu's injunction that governing a great country is like cooking a small fish: 'don't overdo it'.

These differences (and there are parallel differences between the internal cultures of any big organisation or profession and those they serve) were largely invisible until recently, but they are now much more visible as government has opened itself up. Sometimes the exposure of these

cultural differences can be cathartic in a healthy way – as when the Watergate tapes revealed the mentality of the President's circle. But just as often it can fuel an inchoate alienation.

A similar set of differences involve morality, or more precisely the morality of means. Rabbi Hillel's golden rule, which states that you should 'do unto others as you would have them do unto you' (with its parallels in other cultures, such as the Mahabharata's 'let no man do to another what would be repugnant to himself') is often presented as a universal principle.

But it is not a very useful guide for the exercise of state power. It offers few insights into when a leader should send soldiers into war, remove something the people cherish or punish harshly to deter worse crimes.

However universal the reach of moral principles, the moral issues faced by individuals and states can look very different in nature. Some of the differences arise from scale. Stalin's infamous comment that one death is a tragedy, while a million deaths is a statistic, is chilling and inhumane. But every government either implicitly or explicitly makes judgements about life and death on a large scale: on what terms to provide health care; what risks to accept in vehicles or drugs.

Some of the differences arise from necessity. Even the most liberal state has to carry out violent acts which no private citizen would ever be justified in doing (such as bombing and espionage). Any leader may have to order actions that they would not be prepared to carry out themselves (and it may be better to have leaders who are not too easily prepared to conduct violent actions themselves). Arthur Miller wrote of Roosevelt's guile in bringing the US into the WW2 that 'mankind is in debt to his lies'. In the most extreme cases of war or threat, an overscrupulous concern with personal ethical purity may be a damaging vice from the perspective of the community's interests.

Some of the differences arise around secrecy. Governments will often have knowledge that would be very dangerous if widely known (for example knowledge of biological warfare), as well as ambiguous information that could be dangerous if made public. For example when a modern government receives unconfirmed intelligence about a possible terrorist attack on an airport, it is far from clear whether it should publicise this information and risk mass panic, or keep it quiet.

Some of the differences arise from the nature of the states' interests, which require that my enemy's enemy is my friend to a degree that would never happen in daily life. Churchill once said that if Hitler invaded hell he would say a few kind words about the Devil in the House of Commons. It is because of the peculiarity of states' interests that the result of any victory is the end of the alliance that won the victory: the quickly asserted divisions between the victorious allies of 1918 and 1945; the quickly dissolved alliance of China and the USSR, or of China and Vietnam. All were neatly prefigured by the Austrian Chancellor who commented after the Russians had helped to suppress the uprisings of 1848: 'the extent of our ingratitude will be astonishing' (by which he meant that life would continue as normal).

The odd mirror of these differences is that we expect leaders to abide by far more demanding rules than the rest of us. So for example, we expect them to suspend personal considerations when exercising impersonal power: not to give special favours; not to treat people well just because they like them. We don't let them use their power to enrich themselves, or gain sexual favours (Bill Clinton earns more from a couple of speeches than from a year serving as President).

With Freedom of Information, the jobs of leaders have become transparent to an extent not accepted by any of the other leaders in society, and in some countries we demand extraordinarily stringent standards of behaviour (as both a Finnish Prime Minister and a prospective Swedish Prime Minister who had to resign in recent years over very petty transgressions found out).

At the same time we expect serving politicians to cope with ambiguities and shifts in position that derive from the complexities of the society they represent (with the result, as Carlos Fuentes put it, that sometimes politics becomes the art of swallowing toads without making a face).

So we try to walk a delicate balance: wanting leaders with the character to take difficult decisions often far removed from everyday ethics, but with sufficient strength not to enjoy these decisions, not to get lost in the necessary ambiguities, or to let tough decisions become too habitual (Lee Kuan Yew once said - of the British, not of his own government that came to power nearly a decade later - that 'repression is like making love - it's always easier the second time.').

Ironically, these differences are much more apparent in open societies. Bruno Bettelheim once speculated why, despite experience, people invest

dictators with virtues and an almost divine character and suggested that it must be because of fear that the ruler will use his power against them. Rituals, which transcend the dictator's personal nature, confirm that he must be above petty caprice and vindictiveness. The greater the threat, the greater the need to deny it by believing in his virtue (which is why perhaps Stalin came closer to sainthood than any other leader of the 20th century).

Structural trends

The other set of reasons why legitimisation may be becoming harder have to do with the structural trends that have accompanied the move to a much more information and knowledge intensive society.

In the final part of my lecture I want to turn to these, and in particular to the interlinked problems of inequality, oligarchy, disinformation and distrust, all of which impinge on the overall system of governance.

Inequality

Let me take inequality first. States care most about legitimisation when the underlying facts of power force them to do so: when they need the people's acquiescence or support.

Much of human history can be read as a changing balance of power between rulers and ruled. In pre-agrarian societies there was a relative equality of power between rulers and ruled (a low power ratio) and we retain the memories of such times in the traditions of leaders who were themselves sacrificed to the gods. Agrarianism sharply ratcheted these ratios upwards, with larger surpluses, stored wealth, and so spawned empires with huge concentrations of power and wealth, a willingness to use power in the most extraordinarily brutal ways, and cultures around the state that emphasised the gulf between rulers and ruled.

Until very recently democracies were only viable where the power ratios were low, with relatively equal access to the main means of production. In agrarian societies that meant land, and Alan McFarlane's account of how England's agrarian economy of small units led to a common law independent of the sovereign, and with it a language of rights, is a good exemplar of the complex links between underlying power and its manifestations. It is also a good explanation of why the Magna Carta is so important – not because of its contents, for it is one of the oddest documents to become an icon of democratic history, a mishmash of

details about licenses and fines, and baronial privileges, but rather because of its symbolic value as a restraint on kings, who had to give acknowledgement to it at least 40 times over succeeding centuries.

Low power ratios also depended on weak armies. All of the early democracies, starting with Iceland, England, America, Australia, Switzerland either had small boundaries or were protected by seas or mountains; were relatively free from the constant direct threats that would justify a coercive central power; and lacked the large accumulations of spoils in their capital cities that so often corrupt elites.

By contrast the constant competition of nations on much of the European continent where these conditions were lacking, and where control over the means of production was less distributed, bred absolutism, strong armies and bureaucracies, and weak civil rights.

With industrialisation the picture became more complex. On the one hand even greater concentrations of power became possible. But on the other hand a plausible story can be told of how democracy grew out of a changed balance of power: the power of concentrated and organised labour drove the spread of the franchise and trade union rights; the need for mass armies reinforced the same process and forced states to legitimise themselves; the power of crowds armed with rifles undercut the advantages of technologically advanced states.

Today we face an equally complex picture, with some power trends pointing towards a greater distribution of power, and greater reciprocity between states and citizens, and others pointing in the opposite direction. These latter include the growing role of distant global institutions potentially more prone to the corruptions and spoils that always characterise distant power unless balanced by a strong ethic of service; the widening income gap between nations; the widening military gaps between the most powerful states and the rest; the unprecedented economies of scale and scope, and unprecedented levels of market dominance (look for example at Intel or Microsoft) that come with knowledge intensive economies; falling social mobility in some societies and, according to some evidence, a diminished circulation of elites (for example in the top US universities only 10% come from the bottom 50% of the income range).

All of these trends may be reinforcing the well documented links between social exclusion and political exclusion, which are manifest not just in election turnout patterns in the UK and US but also, according to Pippa

Norris's recent work, in the newer forms of cause based activism right across the western world which are more class correlated than what went before.

In other words the underlying dynamics of democratisation and distributed power are by no means assured. These are all reasons why social policies to equalise access to human and social capital are inseparable from good governance; but they are also warnings that such policies may be going against the grain.

Oligarchy and vested interests

The second related issue is oligarchy, or the role of vested interests. A century ago Michels presented tendencies to oligarchy as an Iron Law that would ensure that democracies served the few rather than the many. Today, not many democracies can claim to be wholly free from oligarchical tendencies, which are manifest not just in the traditional hierarchies of power but rather at the points of connection between systems, where organised interests seek to entrench advantages often away from the public gaze.

One is the money/politics nexus (as political parties compete more intensively for scarce attention they have to raise ever larger sums of money, which is why so many of the scandals of the democratic world have revolved around finance). Others include the political/media nexus; the nexus of global business and policy-making, both in national governments and global organisations; and the nexus of science and the military.

The importance of these links can be gauged by the numbers of lobbyists and intermediaries employed to manage these interfaces, the secretive ways in which they work, and their characteristic arguments in the face of ethical objections, which take the form 'despite everything you need us more than we need you', an argument seen everywhere from the Haitian thugs welcomed by the crowds of Port au Prince a few months ago (a variant of oligarchy in one of the world's poorest countries), to the lobbying of multinational firms for tax breaks (reminding us of Castro's comment that the only thing worse than being exploited by multinational capitalism is not being exploited by it).

There are of course countervailing forces: greater transparency, more open public deliberation; the rise of competing nexuses, such as NGOs and government, global public opinion and international bodies; and the

introduction of rigorous laws to limit and expose party funding, as the UK has done. But these are uphill battles, often fought against superior forces.

Disinformation

The third potential threat to the virtuous, reinforcing interplay of ethics and legitimation lies in parts of the media. In a society saturated by abundant information the media have inevitably taken centre stage. States which used to communicate directly to their citizens now do so through the media, where their messages are reshaped by the logics of news values and commentary (including in the UK some 200 or more columnists).

In itself this need not be a problem. Vigorous independent and critical media are indispensable in a democracy, and in the UK we are lucky to have a strong BBC and some very high quality broadsheets.

Nor is it necessarily a problem that the once poor media have often become richer, more powerful and higher in status than those they scrutinise.

Much more problematic, however, is the lack of a strong ethic of searching for the truth in much of the media (with honourable exceptions, including, again the BBC, the Financial Times and a few other newspapers and magazines). For many it simply doesn't matter whether what they print is true.

The net result of the way parts of the media work is that the public are left with systematically incorrect perspectives on the world around them, as research now repeatedly shows on issues ranging from Europe and migrants to public services where there is a wide gap between what the public believes and the facts.

The UK is not alone in this. Derek Bok cites evidence from the 1990s which showed that in 1996 half of all Americans believed that the number of jobs had fallen over the preceding 5 years; 80% that inflation had not fallen; 60% that unemployment had either risen or stayed the same; 69% that the federal budget deficit had grown worse; a majority that the quality of air had deteriorated. All untrue.

We have been taught to follow Harold Evans' advice to journalists, that when listening to a politician you should always have in mind 'why is this

bastard lying to me.’ Journalists who used to dine with politicians now dine on them. With a strong ethic of truth telling in the media, scepticism of this kind would reinforce all that is good in the system of governance. But without such an ethic this attitude can simply lead to cynicism, and undermine any sort of truth, and any capacity for legitimation.

Today we have the odd position that if a spokesman for the Prime Minister gets something wrong in his daily briefing it counts as news, and is quickly corrected, whereas if one of the newspapers gets something wrong, no one bats an eyelid.

I suspect that this ethical deficit at the core of the information society is compounded because all communication now competes for time and attention with the vastly increased volume of commercial communication. Commercial communication, like political communication, indirectly promotes the idea that there are no truths, only strategies and claims (a view which has indirectly had such a huge influence on the academic study of communication).

In all of this I don’t want to posit a simplistic view that we live in a world made up of unproblematic objective truths. Rather my argument is that we should want institutions – governments as well as media – to place a high value on the search for truth and objectivity, even if this ideal is never quite attainable.

Are there any solutions? Apart from protecting those media which do have a strong ethic of truth-seeking, there might also be value in applying validation to the media themselves. There is no question of the state having any role in this. But it is entirely plausible that civil society, perhaps with the universities, could play a much more active role in assuring standards, investigating errors, and holding to account individual journalists and media outlets against a strong ethic of truth and accuracy, just as they should hold governments to account too.

Distrust

The fourth and final potential threat to the virtuous, reinforcing interplay of ethics and legitimation lies in the nature of trust and the very relationship between states and citizens. The evidence for the UK shows a clear picture. Public trust is low for many institutions, in particular public institutions, but high for many public servants (higher indeed than

much of the media which is why the doctors largely won their battle against the Daily Mail's misleading scares on MMR). Similarly the influence of big institutions – government, business, church - has declined while the influence of friends and family has increased.

These may be a predictable result of a more networked, cellular society, and of a media environment in which we see backstage, almost in real time, how decisions are made. Bismarck said that 'men should not know how their laws or their sausages are made': well, let's just say that many people who have visited a sausage factory never eat them again.

But these tendencies pose a particularly severe challenge to governments, and can corrode the self-confidence of those working in government, since they mean that trust may fall even when government is competent, accountable and ethical.

There are some straightforward things that public agencies can do to increase trust: they can be more open; clearer about their moral purpose; quicker to explain or apologise when things go wrong; better at direct interaction and communication with the public. Where these things have been done – as with food and monetary policy in the UK – public trust has risen. Public sectors also undoubtedly need to rebuild the sense of mission and vocation of public servants both in national governments and international institutions (and in the latter, strong ethics effectively enforced may be even more important given the difficulty of designing anything resembling direct accountability to citizens).

But none of this may be enough in a media saturated environment. Here again there may be modest value in another kind of validation. If I'm right that some of the duties of government have remained relatively unchanged then there should be scope for independent assessment of governments of any political stripe against the four sets of duties I described at the beginning: how well they have protected against current and future threats; whether they have improved welfare (and whether the community's assets – financial, natural, physical have been enhanced rather than devalued and stripped); whether there is more justice; whether there is a stronger commitment to truth in the workings of government, and higher ethical standards.

The spread of audits is by no means an unalloyed good. But if such audits became more commonplace, more visible as tools for citizens to judge, they just might provide a counterweight to the distortions of prejudice, disinformation and distrust, and provide a more objective basis for

regulating the relationship between states and citizens. As it is we have the very odd position where the majority of the British public believed in 2001 that the Labour government had failed to deliver on its 5 main pledges in 1997 – even though it had.

Audits of this kind could also play a bigger global role. As I have pointed out validation already shapes the global environment through measures like HDI and corruption rankings. More systematic measures of how well states are performing their fundamental duties could be consolidated into indices of national performance, so that, for example, pension fund holders might decide not to invest in countries with low ratings, and other benefits of membership of the global community could depend on meeting minimum standards of performance. There would no doubt be many arguments about factors and criteria. But methods of this kind would help to embed good behaviour, to reward actions that support the interests of the future rather than short-term expediency.

Conclusions

Let me draw these threads together.

I've argued that the fundamental needs of human communities have changed relatively little over time, and that these have provided a consistent framework through which states have legitimised themselves. I've argued that there are containable but never removable differences separating the holders of power and those they serve, and that as a result a panoply of measures are needed to align the behaviours of states and their duties; that the central design task of democracy is to do this without so weakening the state that it cannot fulfil its duties; and that this alignment may be threatened by possible tendencies towards greater inequality, oligarchy, disinformation and distrust. Finally, I've suggested that some of the solutions to these problems may lie in a greater use of what I call validation.

Jacques Attali once asked Francois Mitterrand what quality was most valuable in a politician. His answer was: indifference.

I've made an opposite argument. That the best chance of governments being able to cope with the tasks they are likely to face in the near future – from protection and climate change to ageing – lies in them being more committed, more ethical as well as more competent. That responsibility for good government is spread throughout the system and encompasses the media, NGOs and the public as well as those enmeshed in the formal

constitution. And that in place of a mutual reinforcement of cynicism, indifference and failure, the alternative of a mutual reinforcement of competence and trust is worth fighting for.

Let me conclude with a quotation from the political scientist Edward Banfield who gave as good a summary as any of the systems view of ethics and governance, and of the view that I have set out of how government's roles are inseparable from the fundamental needs of the community:

'A political system' he wrote 'is an accident. It is an accumulation of habits, customs, prejudices, and principles that have survived a long process of trial and error and of ceaseless response to changing circumstances. If the system works well on the whole it is a lucky accident - the luckiest, indeed, that can befall a society, for all of the institutions of the society, and thus its entire character and that of the human types formed within it, depend ultimately on the government and the political order.'