Far-Reaching Reforms in Democratic Governance & Policy Decision-Making: Our Common Future Depends On It

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Dr Eberhard Wenzel, 1996

A Tribute to Dr. Eberhard Wenzel

Let me begin by acknowledging what a great honour it is to have been asked by the ACT Branch of the Australian Health Promotion Association to give this second annual Eberhard Wenzel Oration.

I knew Eberhard as a student and as a colleague. Eberhard was no ordinary man. He demonstrated extraordinary knowledge and understanding of the challenges facing human kind. His expertise in health promotion was widely recognized as was his unparalleled energy and commitment to the field through his International Public Health Watch website and the development and maintenance of the Virtual Library on Public Health. He made a very significant contribution to public health policy through his work with a range of prominent international agencies such as the Commission of European Communities, the WHO, the Federal Center for Health Education and UNESCO, and in Australia. It is not possible to overstate the dedication and expertise this work entailed, and over such a lengthy period of time. Eberhard's students at Griffith University revered him. He did not easily tolerate mediocrity of human thought and action. He did not admire simplicity of analysis when attention to complexity and detail was required. He had aspirations for a better world and often felt disappointed with the less than scholarly efforts of his fellow man and woman. I shall always remember Eberhard with enormous affection and the greatest of professional respect. I hope that I can do some justice to his legacy in this presentation.

Purpose of this Paper

This evening I wish to address myself to a topic that Eberhard and I often discussed with shared enthusiasm and concern. I refer to the concepts, the locations and the processes of policy decision-making and governance. In health promotion, we often speak of working upstream to address problems more effectively. I would like to begin by suggesting to you that the concept of governance and the locations and ways in which decisions are made in settings where governance takes place, be it governance executed by the State, by non-government organizations, in the private sector, within civil society groups or as private citizens - are of particular salience in this regard.

Let me now put the central idea of my presentation, the notion that:

> **There is nowhere in existence anywhere in the world today, a model of democratic governance and systems of policy decision-making that work well enough as instruments for effectively addressing the numerous and serious problems confronting human kind, nor in protecting and promoting the safety and well being of the individual, the global community and the environment.**

I include in my definition of human well being appropriate protection of principles that may be adjudged as fundamental to a civil society, for example, human rights, distributive justice, corrective justice, due process, communitarianism (as opposed to theories of liberalism), racial and gender equality and so on. Now I recognize this is a broad ranging and contentious statement that demands more definition and explanation. This is my challenge this evening.

The central thesis that I present to you emanates in large part from my experiences studying and working internationally in various guises for six agencies of the United Nations system[♣] in 30 countries, and as a public sector health services employee and public health consultant in Australia. These experiences have

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[♣] WHO/ WPRO. WHO/ HQ, UNHCR/HK, UNDCP/HQ, UNAIDS/ HQ and UNAIDS/BKK

exposed me to the workings of government, non-government and private sectors and to the problem analysis and solution generating processes of numerous decision makers, across a wide diversity of socio-political systems, cultures and economic circumstances. It is difficult to ignore and to remain indifferent as one witnesses the nature and manner in which policy and planning decisions being made across such diversity of circumstance, particularly when those decisions may often relate to serious threats to population health.

I know that I am not alone in my concerns. Anthony Giddens (2000)[1] has written about the rapid and radical democratisation of political systems across the world during the 20th Century. He notes there is a great deal of disaffection with democracy in established democratic states, particularly among highly educated populations that have become more discerning and more highly skeptical of the many unjustified claims made by their political leaders. He suggests this reflects a structural problem in Western democracy. In this regard, one might also ask whether people are becoming increasingly frustrated by and intolerant of the all too frequent disingenuousness and clumsiness of adversarial politics and 'spin doctoring'.

Ringeling (2002)[2] contends that in the United Kingdom adversarial politics has been associated with adversarial relationships in society as a whole. Class conflict has been more visible and more openly fought out under these circumstances than in other countries in Europe, he adds.

Giddens (2000) notes that in many countries, there has been a decline in levels of trust in orthodox democratic systems and politicians, alongside declining levels of trust in figures of authority in general, including professors, doctors, or other professionals. The United Nations Development Programme (UNDP) contends that support for democratic governance begins with the establishment of trust for national governments.[3] But trust must be earned and maintained. Annual public surveys in Australia[4] suggest our political leaders are near the bottom of the pile when it comes to trust. In a Roy Morgan poll in Australia just 17% of people rated politicians as honest and ethical. There was no difference in this regard between state and federal MPs. It appears they rank alongside lawyers, car salesman and real estate agents in this regard. One might ask why this is so. As an aside, I would add that the first time I heard Eberhard Wenzel give a lecture; he spoke at length about the concept of trust and its central importance to a cohesive society.

As Giddens (2000) points out, the old ways of doing business in politics are no longer considered acceptable or legitimate. He adds that domination of politics by men; favours, backroom deals, fixes and paybacks are now seen as corrupt rather than 'just the way it is done in politics'. He further contends that increasing attention to transparency and accountability and increasing access to information are all having an impact on people's expectations

Harte, Trebilcock et al (1982) discuss the often-held cynical view that whatever politicians' ultimate ends in espousing given policies, a necessary condition for promoting these policies is achieving political office. Politicians may pursue this end by designing policies in such a way as to exploit various political asymmetries: between marginal and other groups of voters.

The authors suggest that because of short electoral cycles, politicians will favour policies with immediate and visible benefits that defer costs to later time periods or render them less visible, for example, by moving them off budget. Bureaucrats will be motivated to promote policies that maximize their power, pay, and prestige.[5,] However, in a more recent paper in which he further critiques Instrument Choice Theory, Trebilcock (2002)[6] paints a more optimistic picture to the one that he and his colleagues penned, previously.

Hood (1989)[7] points out that for many years students of public administration have been

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[1]Giddens, A., Democracy in a Runaway World, The Director's Lectures Runaway World: the Reith Lectures revisited, Lecture 5, 19 January 2000.

[2]Ringeling A., An Instrument Is Not A Tool, Conference instrument Choice in Global Democracies, Montreal, Canada, September 26-28, 2002.

[3]UNDP thematic trust fund, Democratic Governance, Promoting Democracy through Reform.

[4] Roy Morgan Annual poll of 28 professions, reported in The Australian, 21 January 2004 (Postscript).

[5]Hartle M., Trebilcock M..J., Prichard J.R.S. and Dewees D. The Choice of Governing Instrument, (Economic Council of Canada, 1982) 2 International Review of Law & Economics 29.

[6]Trebilcock M. J. The Choice of Governing Instrument: A Retrospective, "The Choice of Governing Instrument: A Retrospective from 1982-2002" of the Instrument Choice in Global Democracies Conference, Faculty of Law of McGill University, September 26-28, 2002.

[7]Hood, The Tools of Government (New Jersey: Chatham House, 1986); and L. Salamon, Ed. Beyond Privatization: The Tools of Government (Washington: Urban Institute Press, 1989).

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exploring and debating different paradigms of governance; they have been puzzling about how best to organize collective action to address public problems. More recently, this reflection has been reoriented and reinvigorated by the burgeoning set of institutions, procedures and norms of international legal regulation (Eden and Appel Molot, 1993).[8]

Good Governance

Since 'governance' is a central theme of this paper, let me now present some differing ideas about 'governance' and how the idea is variously understood and described.

Political scientists, politicians and institutions among others, often refer to the term 'good governance'. Indeed, the UNDP invests a very substantial proportion of its intellectual resources and programme budget in supporting capacity building for 'good governance' in developing countries.[9] [10]

In a similar vein, Australia invests in 'good governance as a key element of its overseas aid program, designed and delivered through AusAID. Australia is not alone in this endeavour. The delivery of such programmes in developing nations suggests that many bilateral donors and multilateral aid agencies consider they possess an advanced grasp of the key elements of 'good governance' and can assist aid recipient nations by sharing this expertise.

Alexander Downer, Minister for Foreign Affairs and Trade (1999) had the following to say about Governance in the context of AusAID's engagement in overseas capacity building for 'good governance'.[11]

> "Governance covers many powerful concepts, including good government, capacity building, transparency and accountability, human rights, and the equitable rule of law. It is about what makes a good society-where citizens and groups voice their interests, mediate their differences and exercise their rights, both in the private sector and in the public domain. …. Societies in which decisions by Government can be questioned and contested are ones in which good decisions

are more likely to be made. The process through which governments are forced to pause, consider alternatives, and then defend their decisions promotes better outcomes."

While aid agency programs on capacity building for 'good governance' may have merit, I ask the question, are they conceptually adequate?

Dictionary definitions suggest governance is: 'The office, function or power of governing', 'The action, system or manner of government that is adopted or the system or manner of formal authority and control that is exercised in decision-making for any collective'.[12,13]

Pollitt and Bouckaert (2000)[14], suggest the terms 'steering', 'guidance' and 'managerialism' are preferred to 'governance' outside the United States.

Lynn and Stein (2001) describe 'the complex reality of governance' as 'capacity and control, and the balance between them, depend upon the actions of executives, legislatures, judicial institutions, and citizens acting in their many capacities'. They add that from a public management perspective, 'governance may usefully be defined as regimes of laws, rules, judicial decisions, and administrative practices that constrain, prescribe, and enable the exercise of public authority on behalf of the public interest. [15]

These definitions appear somewhat aligned with a traditional vertical model of governance based on a hierarchy between policy makers and those who are governed (De Bruijn and Ten Heuvelhof, 1991)[16,] whereas more contemporary views identify the locations and processes of governance as occurring outside as well as within the confines of government. In a similar vein, Trebilcock and Hartle (1982)[17] suggest that 'in a complex, modern society is shot

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[8]Eden, L. and Appel Molot, M. "Canada's National Policies: Reflections on 125 Years" (1993) 19 Canadian Public Policy 232 (September 1993).
[9] UNDP, Overcoming Poverty, UNDP Poverty Report 2000.
[10] UNDP, Human Development Report, 2001.

[11]AusAID web site: www.ausaid.gov.au, accessed November 1999.

[12]The Shorter Oxford English Dictionary on Historical Principles, Third Edition, 1972,
[13]Encarta® World English Dictionary © & (P) 1999 Microsoft Corporation. All rights reserved. Developed for Microsoft by Bloomsbury Publishing Plc.
[14]Pollitt, C and Bouckaert.G. 2000. Public Management Reform: A Comparative Perspective. Oxford: Oxford University Press.
[15]Lynn, L.E. and Stein, S (Jr.). Public Management, Handbook of Public Administration, Sage Publications, 2001.In preparation for publishing.
[16]De Bruijn, J.A. and Heuvelhof, E.F. ten, Sturingsinstrumenten voorde overheid (Governance Instruments for the Government), Stenfert Kroese, Leiden, 1991.
[17]Trebilcock M.J., Hartle D., Prichard R. and Dewees D., The Choice Of Governing Instrument: A Study Prepared For The Economic Council Of Canada (Ottawa: Supply and Services Canada, 1982)

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through with multiple modes and sites of regulatory governance, generated by citizens themselves in their day-to-day interactions.

MacDonald and Scott (2002)[18] describe governance 'prescriptively as the endeavour of identifying and managing both aspiration and action in a manner than affirms and promotes human agency'. Descriptively, they describe the core of governance through law as 'the iterative endeavour of identifying goals and objectives, designing policies, selecting processes and instruments, deciding particular programmes, targeting sites and systems, and identifying actors by and through which human aspirations and actions may be rendered into achievements and accomplishments'. At its margins, they see governance through law as establishing 'constraints on pathological action so as to make human agency possible.' They also argue that human beings express their agency through acts of self-governance, and through voluntary or coerced participation in governance structures that they share with others.

The United Nations Development Programme (UNDP) identifies good governance as perhaps the single most important factor in eradicating poverty and promoting development. The UNDP points out that as recently as 1970; there were only 40 countries whose governments had a democratic system of government. That number has grown such that over 100 nations, with two-thirds of the world's population are now engaged in building democratic societies. However, the UNDP identifies crime, corruption, social and political exclusion, weak public administration and a lack of accountability as standing in the way of substantive progress. The UNDP holds very firmly to the thesis that progress in democracy is closely linked to progress in protecting human rights and points to the widespread shortfalls in this regard, globally.[19] Nowhere are these problems more visible and more worrisome than in the illicit drugs and HIV prevention arena in which I have worked extensively. I will return to this matter later to order to illustrate some of the challenges I raise in this paper.

World Increasingly Seen through the Lens of Risk and Risk Management

The concept of 'risk' is firmly established on the public and political agenda in Australia and internationally, substantially fuelled by concerns over local and international terrorism. Hutter (2002)[20] suggests that 'risk' has become a new lens through which to view the world. Beck (1992)[21] and Giddens (1990)[22] see this as a consequence of transformations in modern societies and to new or re-conceptualisations of the dangers surrounding us.

Giddens (1999)[23] argues that science and technology have introduced new kinds of unpredictability, new kinds of risk, new kinds of uncertainty. While there has always been risk in the world and while the fear of an Armageddon dates back to biblical times, there is a body of literature arguing that modern technology and the changing relationships between human beings and their environments has placed these fears into new perspective.

Hutter (2002) explores the replacement of an older' language of 'hazard', 'safety', and 'danger' with a newer language of 'risk'. She suggests the former language reflected more attention to retrospective learning from accidents than the anticipatory approach associated with risk-regulation, which looks forward in a proactive manner to consider the prevention of risks not yet fully realized.

Indeed, risk-based regulation has emerged as a framework for governance. For example, in Australia as in the United States in recent years, elections have been manipulated and leverage gained in shoring up populist support for policy decisions by appealing to people's base fears about international terrorism and refugee populations. Hood et al (2001)[24] discuss an analytical construct for risk regulation and describe a system through which public administration regimes control human behaviour. Hood and colleagues identify three basic components of such risk regimes, namely standard setting, information gathering and behaviour modification.

[18]Macdonald R.A. and Scott F.R. The Swiss Army Knife of Governance, Opening Plenary Session on "The Choice of Governing Instrument: A Retrospective from 1982-2002" of the Instrument Choice in Global Democracies Conference, Faculty of Law of McGill University, September 26-28, 2002.
[19]UNDP Thematic Trust Fund, Democratic Governance, Promoting Democracy through Reform. HTTP://www.UNDP.org/governance/index.htm (accessed on 29 April 2003)

[20] Hutter B.M. Risk based regulation: a critical examination of a new trend in governance, Conference on Instrument Choice in Global Democracies, 26-28 September 2002 Montreal
[21] Beck, U. (1992) Risk Society: Towards a new modernity. London: Sage Publications.
[22]Giddens, A. (1990) The Consequences of Modernity. Cambridge: Polity Press.
[23]Giddens, A. Risk in a Runaway world, The BBC Reith Lectures Revisited, Lecture 1, 10 November 1999.
[24]Hood, C et al. (2001). The Government of Risk. Oxford: Oxford University Press.

Beyond current heightened concerns for public security and safety lie a long and expanding list of complex social, ecological, public health, public safety, economic, and other problems that threaten to seriously compromise our common global future.[25]

Global Risks & Challenges

Examples of the risks and challenges facing human kind include the following:

A. Environmental

- Greenhouse effects, global warming and rising oceans
- Air pollution
- Depletion of the ozone layer
- Water and ground contamination
- Reduced bio-diversity and food cycle changes
- Deforestation and massive land clearing
- Over farming leading to mineral depletion and soil erosion
- Waste disposal and sanitation
- Nuclear and solid waste disposal
- Asteroid colliding with earth
- Scientific accident (e.g. nuclear, biological) leading to catastrophic sequence of events
- Environmental degradation – deforestation, erosion, salination, etc.
- Space junk
- Environmentally damaging tourism (e.g. Antarctica)

B. Ecological Sustainability

- High and non-renewable resource consumption leading to unsustainable ecological footprints among populations in developed countries and potentially, in some developing countries

C. Consumerism

- Massive trade and consumption of goods and services that contribute to an expanding GNP but offer little or nothing in terms of net human benefit (NHB)

And that is expanding ecological footprints well beyond the earth's carrying capacity.

D. Social Problems

- Serious human rights violations
- Inequality between women and men, in health, education, employment, income and life opportunity
- Increasing crime and corruption

E. Population Problems

- Population growth and distribution
- Religious sanctions against birth control
- Migration and urbanization
- Famine
- Shift from extended to nuclear families

G. Poor and Disadvantaged Populations

- Child labour
- Women deprived of equitable access to education, health care, employment (social justice and natural justice issues)
- People with mental health and drug problems.

H. International Relations

- Trans boundary disagreements/ international conflict and war
- Misuse of power in international relations, in trade, in the business of the UN

I. Weapons of Mass Destruction

- Nuclear proliferation and the armaments race more generally
- Chemical and biological weapons
- Ease of access to guns and other weapons in many societies
- Land mines
- Star wars defence weapons technology
- Public manipulation and generation of widespread fear in relation to WMD

J. Bio-social Problems

- Infant, child and maternal mortality
- Communicable and non-communicable disease
- Genetic changes in animal viruses leading to establishment on new 'super

[25]World Commission on Environment & Development (1987). Our Common Future. New York, Oxford University Press.

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bugs' that transmit between human populations

- Mental health problems
- Alcohol, tobacco and other drug-related disorders, associated morbidity and premature mortality
- Genetic engineering (medical intervention, human cloning, foodstuffs)

K. Economic Theories and Policies

- Macro-economic theory and structural adjustment approaches that stand in tension with social capital theory and that may serve to increase inequities in economic, social and health status

M. Commercial Opportunism and Trickery

- Modern form of 'survival of fittest', reflected by trading goods and services for profit that often don't provide the benefits that are claimed (eg numerous weight loss and 'liver cleansing' pills)
- Unethical and predatory commercial practices
- Increasingly pervasive and aggressive in context of poorly regulated or deregulated markets and government downsizing (but see later)
- Commercialization of 'health'

N. Financial Markets

- Highly speculative nature of global capital exchanges (est. 95% in 1994), overwhelming the combined reserves of all industrial countries.[26]
- Free Trade Agreements which, on the grounds of investor rights:
  o Threatens to usurp social policy which gives preferential attention to minorities, the poor, women and deprived and underdeveloped areas;
  o Opposes marketing restrictions on dangerous products,;
  o Undermines the protection of small business, labour, consumers and the environment;
  o Take financial decisions out of the arena of democratic politics and out of the arena of public policy, placing them instead in the hands

of unaccountable private tyrannies.[22]

- Alliances between major corporations that undermine the trade market principle. [22]

One might ask how much substantive progress has been made at local, national and international levels in addressing these numerous, complex and serious problems? I would ask you to consider whether you feel optimistic about whether these challenges can be reasonably managed, now or within the foreseeable future?

Stated alternatively:

> **Are present national and international frameworks for policy decision-making and governance serving us well enough and do they offer sufficient promise as a basis for managing these threats and protecting and promoting our common future?**

It is my thesis that they **are not** and more importantly, that they **cannot**. I contend that new structures, new relationships, new locations, new processes for decision-making and new models of governance are required if we are to solve or mitigate these human and ecological problems.

Furthermore, given the seriousness and complexity of these global problems;

I contend that the development of novel structures, processes, locations and approaches for governance and decision-making, stands as the ultimate upstream challenge facing humankind today.

Let me now share some of my own experiences in an effort to illustrate my point:

Frameworks for Tobacco Control as a Case Study

Until recent times, the WHO has approached the tobacco control issue as primarily one of a public health nature while the World Bank has framed it as a public health problem seen through the lens of its economic determinants and its economic impact. Recently, WHO has shifted its stance to embrace a regulatory, law enforcement and economics-based approach because the evidence supports price, access and promotion controls as the most effective policy levers for change. The WHO is now placing a great deal of trust in the International

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[26]Chomsky, N. "The tyranny of globalisation", speech at the University of Cape Town, Electronic Mail & Guardian, June 16, 1997

Framework Convention on Tobacco Control, recognising as it has that the increasing globalisation of communications and trade now demands that attention be paid to the establishment of international regulatory mechanisms.

The WHO has also dabbled in the moral model with its orchid and dirty ashtray ratings of Member States and its promotion of the rights of non-smokers to clean airspace as a means of social normative control. Some developing nations have recently contemplated adopting a more extreme version of the moral model so frequently adopted in response to illicit drug problems. For example, while working on mission with the WHO in a predominantly Islamic country in 1999, I found myself engaged in discussions about the merits of issuing of a fatwa against smoking and declaring smoking as forbidden according to the teachings of Islam[♦].

The policy goal was to eradicate all smoking. The way the problem was understood and framed narrowed the policy choices and threatened to close off other more promising and plausible policy options. In particular, if the evidence supports price, access and promotion controls as those that are most effective, in a policy environment of strict religious sanctions, these policy levers are likely to become unavailable or unworkable, just as they are for illicit drugs. There were many other reasons why this policy could not work, but that is a story for another time.

This case illustrates how social and other forces can lead decision-makers to select the wrong instrument in their efforts to regulate human behaviour. Such unhelpful instrument selection can reflect the location of decision-making power, the knowledge and skill base and the policy choices available to decision-makers by nature of their position, the sector in which they work and other socio-cultural priorities and preferences.

Frameworks for Managing Illicit Drug Problems as a Case Study

The illicit drugs control issue raises similar conundrums about the determinants of a set of human problems, how these problems might be framed and where answers might be sought. Many countries are currently experiencing the ravages of HIV epidemics that are substantially fuelled by parallel injecting drug use epidemics. Few of these countries have adopted comprehensive evidence-informed public health policies and interventions in response, notwithstanding advice from the WHO and UNAIDS that they should do so. Mind you, evidence-informed policy advice has been far more forthcoming and far more clearly enunciated by these UN agencies in relation to sex-related risk than it has to injecting drug-related risk. This in itself reflects a mixing of models and problem definition, within the UN system.[∞]

A. Drug Use & HIV/AIDS in the Russian Federation

I recall vividly my own experiences working for UNAIDS/ HQ in 1997. I was asked to go to Russia following extensive discussions between UNAIDS and the government, when early signals were there that a serious HIV epidemic was rapidly unfolding. There were concentrated epidemics already, in some cities, for example, in Kaliningrad. Among the tasks assigned, I was asked to assess the situation first-hand, to discuss public health and other intervention strategies with government, and to provide technical support and training to the National AIDS programme in the field of HIV prevention among drug users. There was evidence of a rapid and substantial increase in very high risk drug production and administration practices, for example, intentionally adding blood as an adsorbent to the opium straw mix that was later shared, in the face of a regulatory crackdown on the supply of a chemical that was previously used for this purpose.

How did the system of governance in the relevant sectors respond to this threat? What decisions were made by whom and how were these decisions arrived at? Well, while the WHO and UNAIDS were providing one form of advice, another section of the UN, the United Nations Drug Control Programme and the

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[♦]I endeavoured to articulate a range of reasons why government should not support this approach and provided these arguments in writing in my debriefing with government. I noted that policy decision-makers were doing their best to make good use of or adopt evidence-informed analysis in the face of other preferences and imperatives. My comments should not be taken as a criticism of Islam, rather, as an observation of the tensions that can arise between science and any religion. It was for me both a privilege and personal pleasure to work with the people in the country I refer to.

[∞]It also reflects the conflict, power relations and issues of governance that loom so large within and across the UN.

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Commission on Narcotic Drugs[ℵ] were providing quite different and conflicting advice, commensurate with a most conservative, prohibition-oriented interpretation of the three UN Drug Conventions and their amendments. Senior Officers in Government stated openly they were confused by the differences in advice, the ambiguity and by the reluctance of the WHO to state its technical recommendations more explicitly.[Ψ δ][27]

In an attempt to comply with these UN drug treaties, Russia introduced harsh penalties into their Criminal Code for those found in possession of even trace amounts of cannabis and other drugs, to the exclusion of evidence-supported HIV prevention approaches. What limited funds were available for addressing the problems were to be invested principally into these repressive law enforcement measures and into the printing of a drug education 'text book' for parents, teachers, police, healthcare staff and children.[28 π] Of course, these measures failed to make an impression on drug use and drug-related harm in Russia, that is, unless one holds to the rhetorical view that the problem would have been worse in the absence of these investments.

The Russian Minister of Internal Affairs has recently been reported as stating that Russia's drug policies were 'not the government's own initiative, but rather the result of our responsibility to implement the UN drug conventions of 1961, 1971, and 1988.' (Malinowska-Sempruch et al, 2003) [29]

In choosing to reject evidence-supported policies for addressing the public health consequences of widespread injection drug use -- the main route of HIV infection in this country, Russia is now experiencing one of the world's fastest, if not the fastest, growing HIV epidemics. New infections have increased by more than 18-fold since I departed from Russia in December 1997 and this high rate continues unabated, bringing with it economic instability and regional insecurity.[21]

Even if decision-makers choose to examine the problem from an economic rather than a public health and social justice perspective, there is ample reason for a policy shift. Current evidence and mathematical modelling predicts a substantial and growing adverse impact on Russia. The World Bank Group estimates that if current trends continue, HIV/AIDS will cause a decline of up to 4.15% in Russia's GDP and a 13.2% reduction in economic growth, by 2010.[21] Russia can ill-afford such additional and substantial economic adversity. In this instance, the Ministries responsible for national security and law enforcement, the Ministry of Interior and Police and the Standing Committee on Narcotics Control, took the lead role in policy decision-making – as they do in most countries, leading government to embrace the advice that repressive measures be adopted while largely rejecting the public health advice of the WHO and UNAIDS. Aggressive anti-drug laws have led to frequent social marginalisation and police harassment of drug users and multilateral aid agencies, for example, members of Medicins San Frontieres (MSF), further aggravating the problem. Indeed, one MSF worker was detained by police while I was working in Moscow and MSF workers were threatened with arrest if they continued to provide harm reduction education to drug users through trained outreach workers since the new law prohibited such activity.[∇]

In Russia, a young person can be sent to prison for three years for having traces of cannabis in their possession, with a high probability of coming out as a heroin injector, sick with

[ℵ]The United Nations Commission on Narcotic Drugs (CND), a subsidiary body of the Economic and Social Council, is the main policy-making body for all international drug control matters.

[Ψ] For example, its technical reports may add a disclaimer that the views expressed therein do not reflect the official views of WHO, prompting government officials to ask, do you officially recommend harm reduction measures, or not?

[δ]Bewley-Taylor (2003) provides in an erudite analysis of the challenges facing governments wishing to review or reform the UN drug control conventions.

[27]Bewley-Taylor, D.R., Challenging the UN drug control conventions: problems and possibilities, International Journal Of Drug Policy 14 (2003) 171-179.

[28]Reynolds, A.D.B. Joint United Nations Programme on HIV/AIDS Travel Report 12 December 1997,Technical Support Mission to the Russian Federation, 8 September 14 December 1997.

[π]Following an international (UNDCP led) conference on drug control co-operation with the Russian Federation in April 1997, a federal Drug Control Program was developed with a proposed budget of US$177million, $130million of which would go to supply reduction measures and $46m to 'demand reduction' measures. US$27 million of the US$46million earmarked for demand reduction, prevention, treatment and rehabilitation, was for textbooks for parents, teachers, police, healthcare staff and children and included computer games for children.

[29]Malinowska-Sempruch K, Hoover J. and Alexandrova A.. Unintended Consequences: Drug Policies Fuel the HIV Epidemic in Russia and Ukraine, For consideration by the UN Commission on Narcotic Drugs and national governments, April 2003, Open Society Institute, International Harm Reduction Development.

[∇]My role included a contribution to the training of MSF outreach workers while in Moscow

tuberculosis and infected with HIV and hepatitis B and C. Some may not survive the term of imprisonment. If they do, they will most likely add to the public health problem given the probability of their transmitting many of their prison-acquired diseases during and following imprisonment. These young people are punished twice and in a disproportionate manner. So too is the general community.

I could speak on at length about Russia (which I hasten to add is a wondrous and exciting country to visit and live) and about similar maladies in many of the countries, in which I have worked and studied. In truth, one doesn't need to travel abroad to see many of these things. The point that I make is, these problems have one common defining element – governance that is based on inadequate structure and decision-making that is too often wrong located, unskilled and inadequate in process. While the issues are more complex than I relate here, I contend there are at least two interpretations of what I have described. (1) The policy objectives in the Russian Federation were something other than the prevention and control of drug-related harm and in particular, the mitigation of an expanding HIV epidemic. (2) The policy objectives did include the protection of public health but those responsible for policy decision-making were ill equipped for the task and adopted undisciplined, unskilled and careless methods for problem analysis and solution finding. Vested interest and misplaced expressions of a need for moral correctness from the Catholic Church (not reflected by reality◊) also appear to have played a role. In short, policy decision-makers operated in an environment of less than adequate governance.

I would suggest that in the presence of good governance and given the seriousness of the problem, one would expect to see a rigorous evaluation of outcomes matched against current policy and practice, together with an examination of alternative policy options and a search for evidence or in its absence, consideration to the scientific plausibility associated with such alternatives. One might also expect to see government discussing and

actively questioning each of the involved UN agencies to arrive at some consensus about future pathways, especially in the presence of conflicting UN advice and absence of good outcomes to date. Not so it seems. But once again, these are challenges for developed nations as much as they are for developing countries of the world.

All too commonly in countries experiencing a rapid increase of drug use – and I have worked in many – the most common response has been to adopt ever harsher punishments for drug users – the 'get tough on drugs' and 'war against drugs' paradigms.[30]

In the majority of the UNAIDS-APICT drug policy study countries, we found that governments are investing heavily in involuntary 'treatment', in military style boot camps. Young people can be sent to one of these camps for an extended period of time if a random urine test (for example, in a school-testing program), indicates the presence of morphine. In a review of the evidence on the comparative costs and benefits of programs to reduce crime, Aos and colleagues (2001)[31] found that relative to comparison groups, juvenile offenders in these programs had higher, not lower, subsequent recidivism rates. It would seem that too little attention has been paid in public policy to the absence of evidence in support of these approaches in reducing drug use, nor to the evidence suggesting they may be associated with a range of adverse outcomes, including those related to drug use and those related to breaches of human rights and natural justice.

We do of course witness such breast beating among some of our own politicians in Australia from time to time, especially leading up to an election when some presumably seek to shore up electoral support. It is disconcerting to note that from time to time, political leaders in Australia have flirted with the idea of establishing boot camp-styled rehabilitation programs. It seems that talking tough often wins votes.

If one examines the punishment paradigm in its most severe form, as implemented in a number of the drug policy study countries, there is good reason to believe that it is incompatible with

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◊ For example, the RF was experiencing an explosive increase in the incidence of syphilis. From 1990, the incidence of syphilis had increased from 5.4 per 100,000 population to 254.2 per 100,000 in 1996, an increase of nearly fifty fold. In the face of these social changes, UNESCO and the Ministry of Health jointly developed a sex education programme in the context of a reproductive health programme, for implementation in Russian schools. This programme had to be cancelled following a concerted public campaign mounted by sectional interest groups that targeted the Duma and the media.

[30] Aglionby J., Thai Leader Justifies 1,100 Drug War Death, The Guardian, Mon, 03 Mar 2003.
[31] Aos, S., Phillips, P., Barnosky, R. and Lieb, R. The Comparative Costs and Benefits of Programs to Reduce Crime. Olympia, WA., Washington State Institute for Public Policy, 2001.

Dr. Adrian Reynolds, "Far Reaching Reforms in Democratic Governance & Policy Decision-Making –Our Common Future Depends On It" The Annual Eberhard Wenzel Oration, Canberra, 27 May 2003, Legislative Assembly room, Civic Square, London Circuit, ACT Canberra

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more constructive social policy reforms that could afford governments some chance of protecting and promoting public health.

In my experience, when people respond to complex human problems with get tough messages, it usually means they have a poorly developed understanding of the problem and its determinants and they haven't much of a clue what can or should be done. As mentioned previously, appeal to people's fear is also often a defining element of such politically motivated public statements.

B. UNGASS on Drugs in 1998

It is tempting to suggest this observation provides an explanation for the scientifically implausible target setting that occurred at the Special Session of the United Nations General Assembly (UNGASS) on drugs in June, 1998. At this meeting, the UN and governments agreed to work toward achieving "significant and measurable results" in reducing illegal drug consumption by 2008. A 50 percent reduction was set as the target. No new thinking or theoretical modelling was offered on how this lofty goal might be achieved beyond renewed-commitment to the prohibition-oriented treaties and the usual rhetoric about renewed commitment to action, a 'redoubling of effort' and the like. Rather than the outcomes of UNGASS on drugs reflecting less than adequate understanding of the problem and less than adequate technical competence, Bewley-Taylor (2003) suggests that the outcomes of this Special Session were influenced by exploitative, behind the scenes activity of prohibition-oriented nations. (Bewley-Taylor, 2003). The observations of Giddens (2000) that backroom deals and fixes are now seen as corrupt rather than 'just the way it is done in politics', may have some relevance here.

Oscapaella (2003)[32] comments on the observations of Professor Cindy Fazey, a former high ranking official within the United Nations Drug Control Program (UNDCP), that less than noble forces are at play within the United Nations agencies that influence international drug policy and its instruments, the drug treaties (Fazey, 2003)[33]. Oscapella points to the

error of assuming that UN drug control bureaucracy weighs public policy considerations more heavily than political considerations in its work. Fazey (2003) is highly critical of the UN agencies responsible for the administration of the drug treaties and in Oscapella's words, 'describes organisations populated by self-interested, self-deluding, risk-averse and manipulative bureaucracies, too often serving not the public good, but theirs and that of their bureaucratic allies….Fazey argues that reform can be stifled by international civil servants who prefer inaction to taking action that may prove wrong.' Fazey (2003) points to the paucity of technical competence among senior bureaucrats within the UNDCP and to the wrong location and flawed structures and processes for decision-making and governance. She describes the powerful disincentives to coherent evidence-informed decision-making and the perverse incentives for wrong motivated or bad decision-making. She describes inattentive and unskilled management practices. She also describes an organisation that is often highly punitive towards those who should dare to think independently or to question or challenge the status quo - an organization that is hamstrung by a sense of fear, mistrust and retribution. In short, Fazey describes an organization that is crippled by bad governance.

Most worrisome in this regard are the observations of Bewley-Taylor (2003) regarding the design of the drug treaties, which are in practice virtually self-perpetuating, regardless of the outcomes associated with their application. Bewley-Taylor has provided in an erudite analysis of the challenges facing governments wishing to review or reform the UN drug control conventions. The author points out that an increasing number of sovereign states are beginning to review their stands on the prohibition based UN drug control conventions. They do so, he relates, on the basis of the growing concerns about the utility of current approaches that are founded on prohibition and punitive policies and on the basis of an increasingly understanding that the UN drug control treaties have directly undermined HIV prevention efforts. The author suggests they have done so by discouraging countries from implementing effective, realistic and compassionate public health measures and hindered them from implementing policies that can protect and promote public health and the human rights of their citizens.

A contemporary example of the abuses of human rights that are so common place and the futility of the punishment paradigm in addressing drug problems can presently be witnessed in the

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[32] Oscapella E., Confronting the UN drug control behemoth, International Journal of Drug Policy, Volume 14, Issue 2 , April 2003, Pages 203-204.
[33] Fazey, C. The commission of narcotic drugs and the United Nations International Drug Control Programme: politics, policies and the prospect of change. International Journal of Drug Policy 14, 2003, 155–169.

extreme, in Thailand, where it is widely reported that repressive public policy responses have recently seen the extra-judicial killing (otherwise described as 'summary execution') of a large number of 'drug users'. These killings have been defended on the basis of a renewed government commitment to a 'war on drugs' and implausible claims that only 'drug pushers' (traffickers) have been killed and that most of these deaths have arisen from within competing drug cartels rather than at the hands of Police (Ruangdit and Traisopon, 2003; Anglionby, 2003). [34, 28]

Bewley-Taylor (2003) describes how some nation states have begun to explore more tolerant drug policies with a view to preventing or mitigating HIV epidemics. In doing so, they have exploited the latitude that is provided within the conventions, for example the single convention on narcotic drugs, 1961, allows for the use of controlled drugs for medical and scientific purposes. The author describes how these moves have brought with them some level of condemnation from those aspiring to a drug-free world and those who believe that such policies, particularly those of a public-health/harm reduction nature, send the wrong message. The author relates that the Commission on Narcotic Drugs (CND) has also been very critical of governments that have exploited the latitude existing in the legal framework and that have moved away from repression as the central focus of their drug control efforts.

The author also points out that the flexibility that exists within the drug control conventions is not unlimited, leading some commentators to ask how the drug control treaties can be reformed in a manner that better allows governments to effectively address contemporary circumstances and concerns, particularly those related to expanding drug fuelled HIV and viral hepatitis epidemics.

One would assume that a treaty that guides policy in action in a national and international context would have built into it safeguards and mechanisms for review and reform, when evidence indicates there is the need for change and when member states that sign up to such treaties signal a wish to explore any such options for change. One would also assume that the signalling of a need for serious review of a treaty by one or more member states would be

viewed in a mature and serious way, without any threat of unnecessary criticism or legal or economic sanction. This does not appear to be the case in relation to the UN drug treaties.

Bewley-Taylor (2003), points out there are three possible pathways to reform of the UN drug conventions. Firstly, are there are two options for revision of the conventions: modification and amendment. Thirdly, countries have the option of withdrawing from the conventions, by one of two alternative pathways. Firstly, they may do so by lodging a denunciation with the Secretary-General, together with reference to the legal grounds for any such action.

The second option for nations that prefer not to follow the denunciation route would be to draw upon a loophole that exists in all three conventions, that is none of these conventions insist on the establishment of drug consumption per se, as a punishable offence.

The author describes the immense obstacles and impracticable nature of each of these options, as well as the serious political adversities these would present to governments wishing to alter course. He observes, for example, that through the strategy of linking drug policy to other, usually economic issues, a practice known as issue linkage, the United States has exploited its hegemony, allowing the US to defend the global drug prohibition regime it worked so hard to construct.

The author concludes that parties are likely to consider the modification option worthless, given the design of the treaties, the decision-making processes and the power relations that exist within United Nations system.

The author observes that President Bush seems to have is asserted that the US is no longer bound by the Vienna convention on the law of treaties of 1969, having set the precedent on the basis of national interest, Washington must find itself in an awkward position should it oppose any defection from the drug control treaties on similar grounds, he adds. But perhaps Bewley-Taylor miscalculates the situation in this regard. The US appears unperturbed by any such double standards in its international dealings.

This is surely one of the hallmarks of an internationally undemocratic process, one that reflects less than adequate governance. It would seem extraordinary that in the UN drug treaties, we have international instruments that commit signatories to policy decision-making that is virtually unable to be reviewed and

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[34]Ruangdit P and Traisopon T., War on Drugs Banyat airs concern over rising death toll. `Extra-judicial killing poses threat to public', Bangkok Post, Thursday 20 February 2003.

remedied. Even worse, instruments that can lead an alliance of conservative nations to intimidate and label as a pariah any nation that should signal its wish to explore alternative policy approaches. This is particularly of concern in a context where current policy approaches demonstrably offer too little and where there is compelling evidence these policies and associated approaches are causally associated with net induced harm.

From a 'good governance' perspective, that is a very worrisome observation, suggesting decision-making that is not grounded in reality or evidence and that largely reflects other socio-cultural and political imperatives or alternatively, inadequate knowledge, relevant experience and skill. The outcomes of the UNGASS on drugs in 1998 were clearly influenced by religious, political and other ideological positions that did not allow some governments to formally recognise pragmatic approaches that did not align with their own idealist ('morally correct', 'drug-free world') aspirations.

Not only was the goal setting of the UNGASS on drugs unrealistic, those involved in the exercise lost an opportunity to contribute meaningfully in addressing this problem. Target setting for a 'drug free world' (or a 50% reduction) is no more realistic (or helpful) than target setting for a 'crime free world' and suggest magical thinking among those who really believe such an outcome is possible – 'if only current strategies could be implemented with more commitment and vigour'. The outcomes of this UNGASS suggest a system of decision-making and governance within the UN that is not equal to the task, one that may also not entirely satisfy the principles of 'good governance', (if these principles could be identified).

Meanwhile, HIV prevention efforts have been further undermined and drug use has continued to escalate (not decline towards the mythical 50% target) in many parts of the world. Many governments continue to forgo the adoption of evidence-supported measures in favour of repressive measures that are associated with a range of induced harms.

Edward De Bono's Principles of Simplicity in Problem Solving

Edward De Bono, the well-published and widely read doyen of lateral thinking, has written about the difference between simplicity and simplistic understanding (De Bono, 1998)[35]. De Bono offers ten rules for simplicity:

'True simplicity comes from thorough understanding. Simplicity before understanding is worthless… It. is simplicity after understanding that has a value… The first idea that comes to mind is very unlikely to be the best. That is why it is so important to go on thinking and to produce some further possibilities… Everything needs to be challenged. Everything needs to justify its continued existence. Where something cannot be justified then 'shed' it. If you wish to retain something for the sake of tradition let that be a conscious decision… It is much easier, and tempting to try, to modify an existing operation or structure in order to make it simpler. Sometimes, however, you need to be able to start again from the beginning. Be clear about what you are trying to do and then set about designing a way to do it - ignoring the existing system entirely… Concepts are the way the human mind simplifies the world around. If you do not use concepts, then you are working with detail. It is impossible to move sideways from detail to detail… The organization of a smaller unit is obviously simpler than the organization of a large unit. The smaller units are themselves organized to serve the larger purpose. This process involves decentralization and delegation.'

Current approaches to drug problems provide a good case study for De Bono's work. The UN drug treaties and drug policies that take their root from these treaties are simplistic (which is to be distinguished from the concept of simplicity). They reflect the first idea that people often have about regulating unwanted or undesirable human behaviour – repression and punishment. Other possibilities for solving or mitigating human problems can be imagined. Taking the lead from De Bono, I contend there is a need to start afresh and to establish systems of governance that locate decision-making in the hands of those who are better equipped for

[35]De Bono, E. Simplicity, Viking, Penguin Books, London, 1998.

the task. Examining drug policy as a case study, it is salient to note the observations of Bewley-Taylor (2003) that reforms to the current drug treaties and their instruments for implementation have been made exceedingly difficult because of the way in which they have been framed and because of the rules of engagement within the United Nations system. It appears the authors of the Drug Treaties could not imagine a changing world (e.g. the global HIV/AIDS pandemic). They could not imagine and they made no provision for the possibility that the fruits of their work might, at least in part, bring about substantial human disadvantage and suffering, that the instruments for regulation that they had designed might be interpreted and applied in the bluntest of manners. It also appears they could not imagine an increasingly reflexive world in which others with more knowledge and I would contend, with greater wisdom, would legitimately challenge their ideas.

De Bono's principles can be applied more generally to the development of new concepts and new frameworks for decision-making and governance that I present in this paper.

UN Drug Policy and HIV Vulnerability Study in Asia as a Case Study

In 1999, I and one other consultant, Dr Edna Oppenheimer from the United Kingdom, were commissioned by the United Nations Task Force on Drug Use and HIV Vulnerability in the Asia Pacific Region to undertake a drug policy and HIV vulnerability research project. We set out to investigate the manner in which drug policies are constructed in seven Asian countries (making up nearly half the world's population), the technical merits of these policy-development processes as well as their impact on public health. Details of this research are published elsewhere.[36,37] We examined whether national drug control and public health laws and policies facilitate or impede interventions

designed to reduce the risk of HIV transmission among drug users.[∂]

We interviewed senior government officers across a range of sectors[ℵ] as well as representatives of key non-governmental organisations (NGOs), International NGOs, and U.N. agencies; and during field visits, with drug users and drug-user support groups.

We examined relevant legislation and government and scientific papers and reports. A sum total of 426 questions were drafted in preparation for the research, across relevant sectors and these were honed down to 18 major areas of inquiry. We spent 3 months in country and then in Bangkok writing up.

A Valuing of Scientific Methodology & Evidence

This research showed, among other things, that key decision-makers in seven Asian countries generally pay little or no attention to scientific methods and to empirical evidence as a basis for drug policy decision-making and intervention, in the face of serious public health problems. They seldom demonstrate an understanding of the principles and methods of scientific inquiry and few have available to them or seek scientific evidence, either in their own country and cultural context or from outside sources. Few read widely in the area in which they have professional and administrative responsibility. There are few or no administrative arrangements or informal opportunities to discuss and debate policy and planning with other professionals - with a view to expanding a common understanding and the policy and intervention horizons and with a view to integrating and coordinating planning and implementation efforts. There is no coherent framework for problem analysis and solution generation and senior bureaucrats often do not know or cannot articulate how they have arrived at specific policy decisions. There is rarely any theoretical modelling of policy. Rigorous processes are almost never adopted in formulating, monitoring and evaluating the impacts and outcomes associated with the policies and approaches that are selected.

Generally speaking, there is unquestioning application of the UN drug treaties. There is an

[36]Oppenheimer, E and Reynolds, A. Drug use and HIV vulnerability – Policy Research Study in Asia. UNAIDS Asia Pacific Intercountry Team, Bangkok, Task Force on Drug Use and HIV Vulnerability, 2000 (UNAIDS/ United Nations Office for Drug Control and Crime Prevention).
[37]Reynolds, A.D.B. Drug Policy – a Reflection of Understanding & Framework for Action, 4th Meeting of the Global Research Network (GRN), Melbourne 11-12 October 2001, Conference Proceedings of the Global Research Network on HIV Prevention in Drug-Using Populations Fourth Annual Meeting, National Institute on Drug Abuse, 2002.

[∂]The seven countries were China, Viet Nam, Thailand, Malaysia, Myanmar, India, and Nepal—representing approximately half of the world's population.
[ℵ]Including health, public health, narcotics control, police, prisons, education, finance, home affairs, economic planning, justice, social justice, social welfare, and so on

emphasis on traditionally narrow policy responses. Time disproved methods of repression and punishment commonly prevail in the presence of local and international evidence that yields associated with these approaches are poor, even catastrophic. The potential risks and costs (harms) associated with a particular policy approach such as the use of repressive measures is not routinely considered. Drug problems are commonly treated as a moral issue. When asked about the possibility of trialling harm reduction approaches, decision-makers may demand evidence these policies and strategies can work in cultures similar to their own, as a precondition to their consideration. The same demands for evidence in support of current policy and practice is not forthcoming, even in the face of poor outcomes.

The solution to this is often seen as a need to redouble efforts and invest even more heavily in these failing policies. Too little consideration is given to the effectiveness of these policies and strategies, yet alone consideration given to the ideas of marginal costs-benefit (assuming some benefit) and opportunity cost. Notwithstanding, in the presence of an accumulating evidence-base for harm reduction approaches in Asian cultures and in the presence of worsening problems, there is some willingness in some countries to consider harm reduction, particularly if neighbouring countries would agree to this. However, this is rendered difficult in the presence of political inertia and in the absence of supportive policy and funding frameworks.

The public health outcomes witnessed suggest new thinking is required but only slow progress and some regression to even more repressive policies is apparent in these seven Asian countries. Of course, in this research I am speaking of low-income, developing countries that do not enjoy privileged access to the information and other resources of high-income countries in the west. Notwithstanding, I wonder if you can recognise some of the findings of this policy research in Australia, and even in your own work setting, sector or area of professional endeavour?

The Punishment & State Violence Paradigms

The Asian Drugs and HIV Policy research showed that the punishment paradigm is implemented as a lead strategy for changing human behaviour in a range of forms in each of the study countries. Notwithstanding, there appears to be a growing realization in many

countries that the punishment paradigm is not an effective basis for addressing human problems in a sustainable manner at the population level and that governments need to move toward more expansive and constructive social policy reforms if they are to prevent, reduce, reverse, or mitigate such problem behaviours.

The seven Asian countries have been slow coming to grips with this evidence, where instead, little attention has been paid to the risks of induced ('man-made') harm associated with an over-investment in 'supply-side reduction' strategies and the associated opportunity costs. These costs are substantial in all seven study countries. Heavy investments in policies and interventions that make little inroads into the problems (or make them worse) have left little or no resources for those policy investments that could make a difference. Need it be added that throughout history, punishment, force and state violence have invariably been found wanting when it comes to solving human problems, particularly those of a complex and difficult nature. Such approaches are usually regressive and usually add to rather than mitigate the fundamental underpinnings of human problems, including in this instance, those related to drugs.
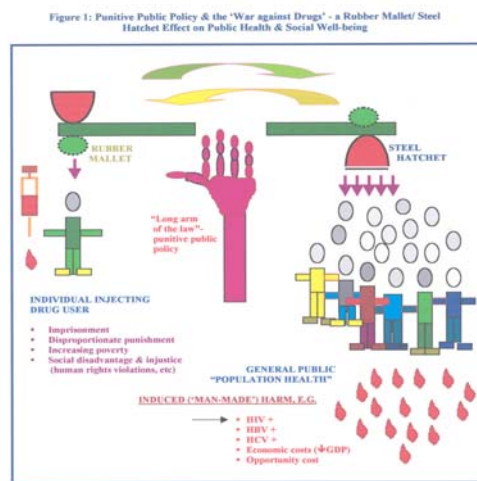

Figure 1: Decision-makers and the community at large may sometimes derive a sense of moral satisfaction and feel that providence or natural justice is taking its due course when drug users are punished, but in reality, such actions are often largely discriminatory and invariably rebound on the community in an adverse way. The effect is one of a soft rubber mallet on the individual drug use and on drug problems, in as much as these punishment-oriented strategies have little or no enduring, adaptive individual or social impact. The other effect is one of a sharp steel hatchet impacting adversely on the whole community which ultimately suffers a great deal as the arm holding this double edged, blunt policy instrument swings backwards and forwards, delivering its respective blows on the individual drug user and on the community. The resource and intellectual opportunity costs associated with investment in these punitive and socially regressive policies are significant.

In layman's terms, punishment might be said to often pour fuel rather than water on the fire. None of the countries involved demonstrated an awareness of, or attention to, these matters, but to be fair, this remains the case in a majority of countries.

The Impact of Political Decision-making on Drug Related Outcomes

Drug policy is by its nature a highly sensitive and politicized public sector endeavour. The drug policy research suggested that political processes and moral objection can often present serious obstacles to evidence-based policy decision-making and practice and to the attainment of better health outcomes.

Gray (1997)[38] argues that politicians tend to be driven by their own personal beliefs and convictions (to which I would add this is possibly a reason why many enter this field, and usually with noble intention). Gray observes it is the values that politicians believe to be important that so often dominate their decision-making. Decisions are likely to be tempered not only by the availability of resources and by competing political demands. The allocation of resources is often based on beliefs. The author adds that evidence also plays a part in decision-making but policies are often made without consideration of the evidence that is available.

This is not to deny the legitimacy of political debate as a basis for public policy development and reform or to pretend that science is immune to varying interpretation, emphasis and preference and as such, that it is apolitical. Nor is it to decry moral belief. Rather, it is to point to the need to better ensure that political and moral debate is well informed, transparent and accountable and not subject to the whims, personal beliefs and opinions of politicians or other vested interests that may not represent the wishes or indeed, the best interests of the vast majority when considered from a range of perspective's including those related to public health and human rights.

The dominant paradigm for addressing drug problems in the seven countries studied is the adoption of punishment as deterrence, drug education as a primary pathway to prevention and involuntary military styled treatment as a lead strategy for achieving enduring behaviour change in those who have tried or who are addicted to drugs. This locates the determinants of drug problems in an absence of knowledge and an absence of fear for consequences. It proposes the solutions lie in knowledge, affect (fear) and discipline. There is of course a literature on the 'Theory of Fear' or 'Threat Appraisal', which describes the contexts and circumstances in which such approaches might be useful and when they are not (see for example, Miller and Ware, 1989).[39]

It is now clear from the research and analysis of authors such as Spooner and colleagues (2001, 1996)[40,41]; Keating 1999[42]; Keating and Hertzman (1999)[43,] National Crime Prevention (1999)[44]; and many others that the determinants of drug use are multifaceted, complex, and interactive, and are influenced by factors that extend well beyond the policy horizons of the health, police, prison and education sectors. Homel and colleagues (NCA, 1999)[38] report that the pathway to crime prevention is not a simple one, so simple solutions to the problem are unlikely. The same is true of pathways out of drug dependence and other drug problems.

Of course, the multiplicity of factors that often determine outcomes may not be captured in studies that examine a problem from a narrow, pre-conceived perspective and that attempt to establish a causal relationship from within this limited perspective, leading to impoverished or faulty analysis and faulty solution generation. The common focus of governments around the world on a three-pronged approach to drug problems, namely, supply reduction, demand reduction and harm reduction, stands as a good example of this narrow sighted conceptualisation. This limiting approach ignores many of the more powerful and primordial determinants of drug use and drug-related harm that lie outside the law

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[38] Gray, J.A. Muir, Evidence-Based Healthcare, Churchill-Livingstone, 1997.

[39] Miller, M-E and Ware, J. Mass-Media Alcohol and Drug Campaigns: A consideration of relevant issues, Monograph Series No. 9, AGPS, Canberra, 1989.
[40] Spooner C.; Hall, W.; and Lynskey M. The Structural Determinants of Youth Drug Use. Report prepared by the National Drug and Alcohol Research Centre, UNSW for the Australian National Council on Drugs, 2001.
[41] Spooner, C., R.; Mattick, R. and Howard, J. The Nature and Treatment of Adolescent Substance Abuse. National Drug and Alcohol Research Centre Monograph No. 26. Sydney: University of New South Wales, NDARC, 1996.
[42] Keating, D. Developmental health as the wealth of nations. In: Developmental Health and the Wealth of Nations: Social, Biological, and Educational Dynamics. D. Keating and C. Hertzman, eds. New York: Guildford Press, 1999.
[43] Keating and C. Hertzman, eds. Developmental Health and the Wealth of Nations: Social, Biological, and Educational Dynamics. New York: Guildford Press, 1999.
[44] National Crime Prevention, Pathways to prevention; Development and early intervention approaches to crime in Australia, National Crime Prevention, Attorney-General's Department: Canberra, 1999.

enforcement, education and health sectors. It also ignores an evolving understanding that drug problems are better understood as a subset of more broadly defined 'human problems' which arise in the context of developmental, biological, structural (policies and programs) and macro-environmental (physical, economic and social) determinants. (Spooner et al, 2001).[28]

The ideas that education provides a pathway to prevention, and that a focus on the youth of today is an investment in the future, are for many intuitively appealing. Unfortunately, the evidence in support of drug education as a sole or lead strategy for drug-use prevention is not at all compelling.

While Caulkins and colleagues (1999) present evidence for the cost-effectiveness of well designed and well delivered drug education programs, White and Pitts (1998) report very small effect sizes associated with those programs that have demonstrated an impact. In their meta-analysis of drug education program evaluations, these authors found that 10 of 18 methodologically sound school-based programs had a statistically significant impact on drug use. At 1-year follow-up these programs delayed onset or prevented drug use in 3.7 percent of the participating students. Effect size also declined with time. Similarly sound programs were effective, with only 1.8 percent of the participating students at 2-year follow-up.

In other words, these studies suggest drug education is cost effective but the size of the population-level changes in drug-use behavior are very modest and decline rapidly over a relatively short period of time. In public health, small benefits from multiple interventions are often very useful in aggregate. So we cannot dismiss education completely, notwithstanding the small effect sizes associated with this strategy. The review by Spooner, Hall, and Lynskey (2001) and others with a similar theme add to the complexity of the analysis of drug education programs but are generally unfavourable. In a randomised controlled trial of the Life Education program, Hawthorn and colleagues (1995)[45] identified the potential for induced ('man-made') harm associated with what is for many, an intuitively appealing program. Similar concerns about the potential for harm associated with school drug education programs have been described by Ritchie (1999) [46] and by

Rosenbaum and Hanson (1998)[47]in relation to the popular Drug Abuse Resistance Education (DARE) program, emanating out of the United States. Ballard and colleagues (1994) conclude that it is unrealistic to believe drug education in schools can succeed in preventing initiation of drug use in the absence of other supportive environments.

It surely follows that if the determinants of drug use are multifaceted and complex and arise substantially outside those public sector areas where governments commonly invest most heavily, then the solutions must also come from new and more sophisticated investments in other sectors and areas of community endeavour that shape human behaviour—in this case, drug use behaviours.

It also follows that new and expanded frameworks for understanding and responding to the determinants of drug use must now be explored, if progress is to be made in better preventing and addressing a wide array of human problems, including those related to drug use. The evidence argues for a need to move away from individual focussed and 'individual responsibility' frameworks in health promotion and health protection policy to those that address the structural and macro-environmental factors impacting at the population level. Indeed, I would argue that the need for a move away from individual focussed thinking is one that has salience across the health promotion and public health arenas, more generally.

I would add in this regard, some key aspects of the New Public Health and the Ottawa Charter and their focus on *'developing personal skills in individuals so they may exercise control over their living and working conditions … in order to be able to develop lifestyles conducive to health and make choices conducive to health'*, stand as a significant barrier to more progressive thinking about ways of improving population health and satisfying social justice principles (Wenzel, 1983[48]; Peterson and Lupton, 1996[49]; Erben, Franzkowiak and Wenzel, 1999).[50] More

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[45] Hawthorne, G.; Garrard, J.; and Dunt, D. Does life education's drug education programme have a public health benefit? Addiction research reports 90:205–215, 1995.

[46] Ritchie, J. New Study on Drug Education Program, AOL News, The Associated Press, 3 August 1999.

[47] Rosenbaum DP, Hanson GS Project D.A.R.E., Department of Criminal Justice and Center for Research in Law and Justice, University of Illinois at Chicago, 1998.

[48]Wenzel, E. (1983), Lifestyles and living conditions and their impact on health - a report on the meeting. In: Scottish Health Education Group (ed.), European Monographs in Health Education Research, Vol. 5. Edinburgh (SHEG), 1-18.

[49] Petersen, A.R. and Lupton, D. The New Public Health: health and self in the age of risk, Allen & Unwin, 1996.

[50]Erben R., Franzkowiak P. & Wenzel E., People empowerment vs social capital. From health promotion to social marketing. Paper presented to the 11th National

Dr. Adrian Reynolds, "Far Reaching Reforms in Democratic Governance & Policy Decision-Making –Our Common Future Depends On It" The Annual Eberhard Wenzel Oration, Canberra, 27 May 2003, Legislative Assembly room, Civic Square, London Circuit, ACT Canberra

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enlightened approaches would pay greater attention to the more fundamental influences which people have on each other in their decision-making, particularly decision-making for governance in its various contexts and forms, decision-making related to and within the commercial sector as it impacts on people's perceived life options and associated behaviours and personal decision-making as it impacts the lives of other's.

In a society where human behaviour is by necessity regulated in varying ways, where interdependence among people is so fundamental to the functioning of any society, and where developmental, physical and mental health, social norms, political and policy environments and socio-economic context among other factors, powerfully shape behaviour, people rarely able to exercise entirely free 'choices', even when they may believe they can. They do not exist as autonomous beings. Most personal decision-making and human behaviour occurs in the context of such social, economic, political and other environments rather than in a vacuum. The 'healthy choices' paradigm suggests otherwise. There is an emerging recognition, at least within some research settings that the historical focus on 'single risk factors', 'correlation', the 'individual', the 'school setting', 'adolescence', 'drugs' and 'problems', is far too limiting, potentially misleading and ultimately unhelpful as a basis for prevention.[51]

I would also point to the problems associated with Ronald Labonte's popular aphorism: '*Think Globally, Act Locally may well be amended to Start Locally Act Globally*' which, although intuitively attractive as an idea, has too often been interpreted in Australia as a prescription and license to focus principally or only at the local level, while paying too little attention to a 'big picture' (structural and macro-environmental) analysis and intervention (Labonte, 1994).[52][θ]

Health Promotion Conference, "Building social capital in the 21st century", 23-26 May 1999, Perth, WA. Published in: *Health Promotion Journal of Australia*, Vol. 9, No. 3, 179-182.
[51] Spooner, C and Gascoigne M, Structural determinants of youth drug use, Project Notes, Centrelines, pp3-4, December 2003 (Postscript).
[52]Labonte, R, Econology health and sustainable development. In: Chu, C., and Simpson, R, eds. Ecological Public Health: From Vision to Practice. Brisbane: Griffith University, 1994.
[θ]This is not to sound unfairly critical of these past approaches or to exclude a role for multiple local and individual level interventions. Rather, it is to point to the fact that contemporary analysis of the determinants of drug use now dates these approaches and renders their continued adoption at the expense of structural and macro-environmental approaches, difficult to reconcile with

But these are matters for more in depth discussion at another time and event.

It is not at all clear that governments in Australia as internationally are yet ready to explore such radical reforms in the way they do business and the approaches they adopt in seeking to better prevent and address a range of human problems, including those related to alcohol, tobacco and other drug use. The same might be said more generally in relation to frameworks for decision-making and governance.

Instrument Choice for Governance

Much attention has been paid in the literature to the selection of instruments' to facilitate the achievement of government policy goals - for example, how best to achieve compliance, how to reduce the burden of government without losing policy control and how to enhance regulatory efficiency by promoting so-called "smarter" government.[♣] According to this view, issues of governance are conceived to involve little more than the selection of the optimally efficient "governing instrument" or "regulatory tool". The law is conceived as a lever of action that is utilised to change or control specific behaviour with prescriptions.[18]

Types of governing instrument include laws, regulations, information, education, voluntary agreements, planning, and so on. The concept of instrument choice has been the subject of some debate. Some critics of the concept see the language of "instrument choice" as supporting the undesirable promotion of the welfare state and excessive social regulation.

While the concept of "governing instrument" can be taken to identify the need for laws that translate policies into outcomes, others see the idea as supportive of an inbuilt presumption against certain forms of State action, expressed in the guise of "deregulation", "privatisation" and "smaller" government. This is the view that human beings and markets can operate free of the constraints of misguided, inefficient,

contemporary understanding. While recent research and analysis suggests local level events and interventions are likely to offer too little, there is an additional concern. That is, that governments and their political leaders may continue to assert they are doing something of value to prevent drug problems when they are in truth, missing opportunities to focus on more fundamental determinants of drug use and other problem behaviours.
[♣]Indeed, in Australia at present, at least two States, Queensland and Tasmania aspire to this status.

redistributive "policy intervention" (McDonald and Scott, 2002)[53].

The authors argue that in contemporary societies, there are multiple modes and sites of regulatory governance, generated by citizens themselves in their day-to-day interactions. They do not see the State as being assigned a commanding role, as the institution charged not only with taking governance decisions, but with allocating governance decisions among other actors. Other social institutions play a role in governance and as normative sites: the family, neighbourhood, religious organisations, socio-ethnic groups, unions, cooperatives and communities of interest.

The authors are critical of the language of "choice of governing instruments because governance and the regulation of social action does not reside solely in government and because the language reduces governance to mere instrumentalism. Indeed, they conceive the State as a tool generated by society, one that its citizens choose to deploy in their everyday regulatory endeavours.

Growing Influence of Multinational Corporations & Voluntary Codes

Many authors have written about a trend in which multinational corporations have grown ever larger and ever more powerful, in some cases, overtaking governments in their levels of economic transaction. For example, the revenue of Exxon is reported to be larger than all but about 9 or 10 of the world's nations. Giddens (2000) puts the view that they are not more powerful than nation states because they do not have territory, they do not write the laws that regulate what they can and cannot do and they do not control the means of violence and military power. Notwithstanding, it seems clear that the informal influence of multinational corporations has increased substantially and in manners that threaten the capacity of governments to apply certain key policies such as those of a re-distributive nature, those that aim to promote ecological sustainability, those that favour resource renewability, those that prevent the sale of products that do not do what it is claimed

they do, and those that reward better use of resources in ways that contribute to net human benefit. The multinational companies are also exerting a considerable influence on the way people live and self-regulate their lives.

Cohen (2002)[54] traces the movement towards regulation by private rather than public institutions. He describes voluntary codes as part of a transformation from historical conceptions to the modern liberal State, a State that is retreating rapidly in the face of the growing economic, social and political importance of multinational enterprises and non-governmental organizations. In this new regulatory environment, the State and laws still have a place, but their roles are very different from (and of less central importance than), which was previously considered appropriate. Voluntary codes are viewed as a legitimate and increasingly important instrument for private governance.

Christensen (2000)[55] argues that ideally, voluntary codes can provide a mechanism for industry to take an enlightened view of their self-interest, for non-governmental organizations to be more effective, for small business to be heard, for labour to be represented, with government acting as a form of mediator. Moreover, voluntary codes can potentially avoid many of the constitutional limitations that constrain the legal authority of the State.

Cohen (2002)[34] is less sanguine about voluntary codes, noting there is no guarantee they will fulfill this promise. Rather, voluntary codes may simply permit the most knowledgeable and powerful actors in the market to dominate not only the production of private goods, but the definition and creation of public goods as well.

George Soros has suggested financial markets need greater regulation than at present - otherwise there could be more crises like those affecting the East Asian

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[53] Macdonald R.A. and Scott F.R .The Swiss Army Knife of Governance. Opening Plenary Session on "The Choice of Governing Instrument: A Retrospective from 1982-2002" of the Instrument Choice in Global Democracies Conference, Faculty of Law of McGill University, September 26-28, 2002.

[54]Cohen, D. "Voluntary Codes: The Role of the State in a Privatized Regulatory Environment," Chapter 2. ©2002 in Kernaghan Webb, pages 3-28. Published by the Carleton University Research Unit for Innovation, Science and the Environment (Ottawa, Canada).

[55]Christensen C., "Innovation in the Connected Economy: A Conversation with Clayton Christensen," Perspectives on Business Innovation, Issue 5: The Connected Economy (Sept. 2000), available at:
www.businessmnovation.ey.com/joumaVissue5/features/innov/loader.html

economies in 1998 (Soros, 1998).[56]

The most unfavourable view is that policies (or absence of policies) allowing markets to run free and wild can only increase the too often unethical and too often predatory commercialisation of aspects of life that should not be commercialised (e.g. "healthism"), adding little if anything to net human benefit and consuming precious non-renewable resources.

Intersection between the State & the Private Sector in Regulation

In contemplating the role of the state and the part that it plays in governance, it is salient to reflect upon the historical observations of writers such as Goodnow (1893)[57], who said: '…in transacting its business [the government's] object is not usually the acquisition of gain but the furtherance of the welfare of the community. This is the great distinction between public and private business' (1893, 1902, p. 10).

Rainey (1997)[58] argues that the areas where public and private management are fundamentally unalike in all important respects are: (1) that the public interest differs from private interests, (2) that public officials, because they exercise the sovereign power of the state, are necessarily accountable to democratic values rather than to any particular group or material interest, and (3) that the constitution requires equal treatment of persons and rules out the kind of selectivity that is essential to sustaining profitability.

However, there is another perspective to be considered. Some of the authors I cite in this paper contend that self-regulated behaviour has an important contribution to make for good governance – the State cannot regulate every single aspect of human behaviour, nor would we want it to. But less regulation may come at a cost if the idea of the good corporate citizen cannot be more firmly embedded in everyday commercial endeavour. We cannot expect the

private citizen who is disadvantaged economically, socially or in other ways to always behave as a 'good citizen'. There will always be the need for regulation to control anti-social or pathological behaviour, at individual and corporate levels.

The intersection between the state, the private sector and the citizen and the location and types of authority and regulation required are matters that clearly call for careful re-evaluation in any approach to devising new forms of governance. While there are risks and impracticalities associated with regulating all manner of commercial endeavour, the risks associated with allowing industry to run free and wild (unmitigated neoliberalism policy) are equally problematic.

Governance through the Media

The thrust and reach of the media in our everyday lives is now so substantial that any discussion of the places where governance takes place would be incomplete without discussing the role of the media. The media now serves as an integral component of community discussion, policy debate and decision-making. The media can make a substantial contribution to democratic process, particularly in terms of helping to satisfy the principles of openness, transparency, accountability; and truth telling and promise keeping in government, the private sector and all other sectors of the community where governance occurs (Seedhouse, 1988)[59]

However, the media is sometimes, perhaps often undemocratic in its processes and may often contribute to breaches in the principles of natural justice and fully informed debate. Too often, the media can present issues in a manner that is technically incorrect, incomplete, or simplistic. For reasons of brevity or technical or methodological skills deficit, or for commercial reasons, reporters or their editors too frequently present issues in a distorted, inaccurate or sensationalised way. Even published quotes cannot be trusted as an accurate record of an interview. Quotes are invented. The need for short 'sound bites' on TV and radio and the limitations on space in the print media mean that issues can never be comprehensively explored, analysed and discussed in the public arena. And of course, the media is not immune to the distortions of political and commercial self-interest. Furthermore, the media is often manipulated by individuals and by community groups to present information in a particular

[56]Soros, George. The Crisis of Global Capitalism: Open Society Endangered. New York: BBS/Public Affairs, 1998.
[57]Goodnow, Frank J. 1893, 1902. Comparative Administrative Law: An Analysis of the Administrative Systems National and Local, of the United States, England, France, and Germany. New York: G. P. Putnam's Sons.
[58]Rainey, Hal G. 1990. 'Public Management: Recent Developments and Current Prospects,' in Naomi B. Lynn and Aaron Wildavsky, eds., Public Administration: The State of the Discipline, Chatham, NJ: Chatham House, pp. 157-184.

[59] Seedhouse, D. (1988) Ethics: The Heart of Health Care, Chichester, Wiley.

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manner that reflects or satisfies the needs and beliefs of that individual or group. In many such circumstances, the audience may often be unable to distinguish fact and balanced argument from witting or unwitting omission, distortion, myth and fiction.

I would suggest these problems are so pervasive and so significant as to render the media unreliable as a leading source of information, education and decision-making for good governance. The community is unwise to unquestioningly trust information as it is presented in the media alone, without corroboration and without carefully review of the location and manner in which problems or challenges are framed and analysed. Even a triangulation of media information from different sources is too often likely to be unreliable, incomplete or superficial in its reporting and analysis. This presents yet another challenge for those seeking to develop more effective models of governance, particularly those that are framed around the concepts of lessons learned, technical competence, community development and participatory democratic governance.

Models of Governance

Ringeling (2002)[2] discusses the concept of instrument choice and argues the choices that governments make as well the process of policy-formulation they adopt, can be explained by the national setting, in particular the political-administrative setting in which these things occur. Ringeling reports a relationship between problem-configuration and the governance approaches adopted. He refers to studies on Western democratic countries demonstrating the influence of these differences in the way policies are constructed.

The author describes four types of governance model:

1. **Command and control**
2. **Governance on main policy lines**
3. **Selective governance**
4. **Facilitating governance**

In the command and control-model, the national government is the central actor. It defines the problem and develops the solutions and does so in a largely independent manner. It formulates policy. It orders other actors, public as well as private, to implement that policy. Standards are set in national regulations. Other actors have to abide these standards. In a many countries this has been the usual model and to some extent it still is.

The other three models entail progressively less control and domination by governments and greater participation and control of decision-making by other actors and greater self-regulation. It would seem there is a leaning in the governance literature away from the command and control model.

Macdonald and Scott (2002) observes that a number of notable thinkers in the field (for example, see Fuller, 2001) are now more upbeat than previously about the viability of indirect and third party governance as a regulatory strategy.[60] MacDonald and Scott (2002) write of these perspectives translating 'into views about the capacity of people to imagine new and self-directed solutions to social problems and to imagine the possibilities of social organization.'

MacDonald and Scott (2002) expresses his concern about micro-regulation, 'which tends to sell people short by denying the creative role that citizens can have in solving their own problems'. He is concerned that excessive detail can make for unwieldy and unworkable regulation.

Public Administration Theory & Practice

Public administration theory is central to any discussion of the state and its role in governance. The central tenets of public administration and the determinants of its decision-making authority and responsibilities are the subject of varying interpretation and emphasis.

Lynn and Stein (2001) point out that the Oxford English Dictionary provides no basis for distinguishing between 'administration' and 'management'. The definition of each refers to the other. The authors discuss classical and more contemporary views of public administration and put the case that distinctions can be made between public and private sector management on the basis of structural, craft, and institutional perspective's. They see the two sectors being constituted to serve different kinds of societal interests, and point to the distinctive kinds of

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[60]McDonald (2002) references Fuller, L.L "The Case Against Freedom" in Kenneth I. Winston, ed., The Principles Of Social Order: Selected Essays Of Lon L. Fuller, rev. ed. (Oxford: Hart, 2001) 315-27.

skills and values that are appropriate to serving these different interests.

In examining the issue of 'what works' and how well, it is salient to note the observations of Lynn and Stein (2001) who argue there has been relatively little rigorous empirical research on managerial contributions to governmental performance. According to the authors, classic American literature understands management to be 'the responsible and lawful exercise of discretion by public administrators'. In this view, public management is a structure of governance. The authors argue that more contemporary literature describes public management as 'a craft, that is, skilled practice by individuals performing managerial roles'. Stated alternatively, the term public management has been taken to refer to decisions, actions, and outcomes and to the political skill needed to perform effectively in specific managerial roles. The authors suggest that public management will be only as effective as public managers are masters of their craft.

Lynn and Stein (2001) suggest this more recent conception with short-term focus on the strategic political role of public managers within given political and institutional settings, places greater emphasis on the immediate, pragmatic concerns of managers at executive levels of governmental organisation. Lower priority is accorded to 'the manager's role in developing institutional capacity and in adhering to durable democratic values'.

Rosenbloom argues 'those who define public administration in managerial terms tend to minimize the distinctions between public and private administration' (1998, p. 16)[61]. The term administration, in this view, conveys respect for the constitutional and political foundations of governance in a way that the term management does not (Lynn and Stein, 2001).

Mosher (1968)[62] describes the complexities of administrative responsibility which he frames as primarily a moral challenge or, more specifically, one in which decision-making hinges on a resolution of competing and conflicting codes, legal, technical, personal, professional, and organisational.

Scott (1998)[63] describes public management as a structure of governance that is the constitutionally appropriate formalization of managerial discretion intended to enable government to implement the will of the people.

Millett 1955[64] puts the view that the responsible public manager is not a free agent empowered to act on the basis of whim or ideology. Public managers must recognize the reality of external direction and constraint'

Lynn and Stein (2001) caution against a doctrine of administrative nullification which arises when public managers resist, thwart, or refuse to implement policy, even when it that runs counter to the founding widely embraced or traditional values'.

It is apparent from this small selection of papers that there is widely differing opinion and interpretation regarding the nature, the role, the responsibilities, the authority and the location of decision-making in public administration and in public management. Of course, there will be substantial variation across (and in many cases, within) different models and systems of democratic (and other forms of) governance. Whatever these differences, it would seem reasonable to beg the question – do any of the frameworks and processes of public administration work well enough, if we understand them to be important instruments of governance? Can we, as Giddens (2000) suggests, imagine a democratisation of systems of democratic governance that do not include political parties as the bedrock of government and that locate decision-making authority closer to where expert knowledge and skill resides?

Any construction of new models of governance must per force, consider from afresh the objectives, structures and processes of public administration. It must examine the location and processes of public policy decision-making authority, the roles and methods of work in the civil/ public service and the intersection between public servants and the elected representatives in government.

[61]Rosenbloom, David H. 1998. Understanding Management, Politics, and Law in the Public Sector. New York: McGraw-Hill.
[62]Mosher, F. C. 1968. Democracy and the Public Service. New York: Oxford University Press.

[63]Scott, W. Richard. 1998. Organizations: Rational, Natural, and Open Systems, Fourth Edition. Upper Saddle River, NJ: Prentice-Hall. (Scott's discussion refers to the United States).
[64]Millett, John D. 1954. Management in the Public Service. New York: McGraw Hill.

Integration and Implementation Sciences

There is an emerging specialisation called 'Integration and Implementation Sciences' which is based on part on recognition of the need to coalesce and coordinate human knowledge and understanding based on systems thinking, participatory methods, complexity science, diverse epistemologies, and multi-, inter- and trans-disciplinarity, among other techniques (Bammer, 2003)[65]. The methods of this new specialisation promise to assist in more reliably and expeditiously transforming research based knowledge/ evidence into public policy and action. I believe we will all hear a lot more about this in the near future.

The Democratisation of Democracies

Pollitt and Bouckaert (2000)[66] see the task of any self-governing jurisdiction as one of distributing power among lawful organizations and institutions so as to establish a governance regime that ensures a satisfactory balance among competing interests and values. They put the traditional view in suggesting this balancing act can be achieved through partisan politics. In doing so, they appear to support continuance of contemporary adversarial political process.

Giddens (2000) offers what he calls a 'minimalist definition of democracy, suggesting that democracy exists where there is a multi-party system with political parties competing with one another, free and non-corrupt voting procedures to elect political leaders, and an effective legal framework of civil liberties or human rights that underlie the mechanisms of voting processes.

Giddens (2000) argues for a need to democratize democracies though structural reform. He identifies some of the essential ingredients as contesting corruption and recognising the changed definition of corruption. In many countries it means the devolution of political power to the local community and in others, constitutional reform. It means an openness, and transparency. It means recapturing political legitimacy.

Globalisation & Democratic Governance

Issues related to globalisation are highly salient to any discussion about democratic governance

and particularly relevant to my theme. The idea of globalisation is one that has come to dominate political, economic and social discussion. The evidence of an increasingly globalised world is apparent when one can watch an AFL football game on television in Hanoi and see children in China wearing US baseball regalia. But the issues run much deeper than this. Giddens (2000) notes that a world where everything is more visible has consequences for the nature of democracy and the legitimacy of existing democratic systems. He suggests that globalisation should not be understood primarily as the expansion of only the global marketplace. It is driven by the communications revolution. It is driven by expansion and the interaction of satellite communications and information technology, creating a world where nothing can be hidden. He adds that in an increasingly globalised world people potentially have access to a range of information, which means that things are much more transparent than they used to be.

Giddens (2000) notes the emergence of more reflexive populations across the world, a world in which people engage with information and do so by making active use of that information to order their lives, to contest others who have a different definition, and to explore available options.

Lynn and Stein (2002) argue that Governments are still seeking to deploy traditional instruments in a changed world, where the globalisation of trade in goods and services and communications among other things, now demands more expanded frameworks for social organisation and decision-making.

In alignment with this theme, Giddens (2000) identifies the need for transnational democratisation. He argues this requires devolution of power below and above the level of the nation state, and an exploration of the serious possibilities of democracy in the global arena. He bases this argument on his observation that many things that affect us in the world - like ecological problems, responding to global economic crises, cloning of human beings and mass patterns of migration – cannot be dealt with on a national level. International law and new processes of transnational democratisation are required to deal with these complex and far-reaching problems. Giddens (2000) foresees a replication of the European Union with the establishment of multiple regional governments.

[65] Bammer, Gabrielle, personal communication, Sep 2003.
[66]Pollitt, Christopher and Geert Bouckaert. 2000. *Public Management Reform: A Comparative Perspective.* Oxford: Oxford University Press.

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Along a similar line of argument, Fonte (2002)[67] describes the challenges to 'liberal democracy' ideology in the form of a transnational hybrid regime that he calls 'transnational progressivism'. Fonte lists a number of ideas and principles associated with this alternative ideology, including a deconstruction of national narratives and national symbols and promotion of the concept of postnational citizenship, transnational citizenship or global citizenship. In this state of being, the traditional paradigm of nationhood is questioned or even rendered obsolete. Transnational advocates argue that globalisation requires some form of transnational 'global governance' because they believe that the nation-state and the idea of national citizenship are ill-suited to deal with the global problems of the future. Fonte describes how international law' has increasingly penetrated the sovereignty of democratic nation-states. It is, therefore, in reality, 'transnational' law, he adds. Fonte notes that the European Union and its executive, the European Commission, provides an example of a shift beyond liberal democracy' to transnational governance.

Ohmae (1995)[68] argues similarly about the need for new locations and boundaries of political power, but sees the matter being played out in a different direction. Ohmae believes that the advance of globalisation has been so strong that Nation States have lost most of their power to control their own affairs. He sees the emergence of perhaps 100, 200 or 300 City States that will largely replace Nation States.

Held et al (1999)[69] envisages the globalisation of democratic institutions and writes of a Cosmopolitan democracy. He suggests the possibility of a European, African, South American and Asian Parliament, each with representatives to a re-constituted second body of the United Nations.

It would seem to me that the idea of the Nation State acting with autonomy and principally out of self-interest, something governments are never shy to admit, is a very sharp two-edged sword, one that can act as a barrier to solving the complex challenges ahead. The US provides obvious examples with the frequent abuse of its superpower status to unfairly influence the United Nations, for example in relation to the drug treaties[19] and drug policy, its stated intention to proceed with Star Wars technology, its extraordinary double standards on trade agreements, its refusal to sign the Kyoto Treaty and its unilateralism in relation to Iraq.

Along similar lines, Bewley-Taylor (2003) argues that the collective responsibility for global order argument would be more persuasive if not for the selective approach to international law adopted by the United States of America. He suggests that Washington's withdrawal from the Kyoto Treaty and its repudiation of 1970 to NT ballistic missile treaty has already gone a long way to threaten the treaty system before its recent announcement to unsign itself from the convention to establish an international criminal court.

Bone (2003)[70] argues that America by its recent actions — its refusal to support the Kyoto Protocol on climate change or the International Criminal Court, its growing unilateralism, its poor support for efforts to alleviate global poverty — "has for the moment disqualified itself" from the task of building global security, prosperity and justice. Bone goes on to say that America is 'in thrall to an extreme brand of conservatism. It no longer feels the need to uphold international law or sustain the coalition that was painstakingly built up after September 11'. 'Instead, the US will set the strategic goal and implement it by itself if necessary. Unilateral force rules, OK or not'. Australian governments have often behaved less than admirably in this regard, also.

As Labonte (2003)[71] points out, the unipolar power of the US and its unilateralism has serious implications for what is really required-multilateralism and new forms of global governance.

The Location & Processes of Decision-Making

Beyond notions of the good governance and the structures and processes of government, lies the issue of decision-making. At the risk of stating the obvious, a critical component in the chain from problem analysis to solution finding is decision-making. Equally salient are the

[67] Fonte, J. 'Liberal Democracy vs. Transnational Progressivism'. Foreign Policy Research Institute, Orbis, www.fpri.org. Policy – A Review of Public Policy & Ideas. The Centre for Independent Studies. Summer 2002 issue.

[68] Ohmae, Kenichi. The End of the Nation State: the Rise of Regional Economies. London: Harper Collins, 1995.
[69] Held, David, Anthony McGrew, David Goldblatt, and Jonathan Perraton. Global Transformations: Politics, Economics and Culture. Cambridge: Polity Press, 1999.

[70] Bone, P. A United Nations at the crossroads, The Age, May 24, 2003.
[71] Labonte R, personal communications, 13 May 2003

questions of who is involved in decision-making, from which sector of society, at what point in time and on what basis? Of course, in a representative democracy, we elect politicians for set terms and trust them to make sound decisions on our behalf. However, we use a blunt instrument when we elect a politician or political party on the basis of the wide mix of policy positions they present. For the period of their tenure, we trust them to keep the promises they have made, to progress those initiatives we considered most important and if we possess a sense of community spirit, to protect and promote the public good in a range of ways. Then, there is the public/ civil service and its executive that in many ways can be seen to act as an instrument of government and an instrument of governance.

Some things do not change. White (1926)[72] explores the problem of 'control of the administration' at length. 'The problem,' he argues, 'has gradually developed into that of finding means to ensure that the acts of administrative officers shall be consistent not only with the law but equally with the purposes and temper of the mass of citizens' (1926, p. 419). We trust that out elected representatives in government will not push through Trojan Horses without our prior knowledge and support.

White (1926) puts the view that 'while the main duty of the executive (in the USA) is to execute the will of the legislature as expressed in statutes, this duty is accompanied by a substantial element of discretion. Furthermore, the executive looks for its authority not to the legislature but to the constitution'. The executive is both enabled and constrained by a number of factors, including policies of the government of the day. Within these boundaries, the executive has discretionary powers in decision-making. White describes continuous attempts on the part of the people to control the discretion of the administration in the exercise of the sovereign powers of the state' (1893, 1902, p. 10, 11). He discusses the need for a system of administrative justice, which he sees as arising from 'a union of legislative, executive, and judicial functions in the same body to secure promptness of action, and the freedom to arrive at decisions based on policy'.

As Lynn and Stein (2002) observe, public sector decision makers inevitably find themselves working to strike a balance among competing

interests, political philosophies, and interpretations of fact. They cite Ott, Hyde, and Shafritz who say the real agenda of public management is 'balancing political, economic, and social concerns for equity, justice, and fairness, as well as integrating perspectives for bettering 'the public good' in complex, highly diverse, competitive, and inequitable environments' (1991, p. xvi)[73].

Hawke (2002)[74] expresses what appears to be an inconsistent, even confused position on the role and responsibilities of public servants. While on the one hand he (is reported to) believe they have a duty to give advice that is independent of party politics – to call it as they see it and to not provide tailored or filtered advice – on the other hand, he does not believe public servants can act as an independent guardian of national interest nor blow the whistle" on their political masters, even if they believe a minister is not acting in the public interest. The question remains – should public servants be primarily accountable to the people or alternatively, to the elected representatives of the people?

A Potpourri of other Problems in Governance in Australia & Beyond

Let me now challenge you with some additional, no doubt controversial observations about democratic governance and decision-making as it relates to government in Australia specifically, and beyond

1. Current forms of democratic governance invariably rest on a concentration of decision-making roles and powers that render governments largely unable to effectively draw upon the best available technical expertise, relevant research literature and lessons learned.

2. Current systems of governance require a funnelling of all decision-making responsibility towards a single point at the top of a bureaucratic structure.
    - Managers at the top of decision-making ladder cannot be expert in multiple areas of responsibility, yet current structures and locations of decision-

[72]White, Leonard D. (1926). Introduction to the study of public administration. New York: Macmillan.

[73]Ott, J. Steven, Alkbert C. Hyde, and Jay M. Shafritz, eds. 1991. Public Management: The Essential Readings. Chicago, IL: Nelson Hall in Lynn, L.E. and Stein, S (Jr.). Public Management, Handbook of Public Administration, Sage Publications, 2001.In preparation for publishing.
[74]Kerin, J. Mandarin: we're not guardians The Australian, 18 June 2002 [Note: it is acknowledged this apparent inconsistency may in truth reflect inaccurate reporting rather than the views of Hawke.]

making authority and responsibility often take decision-making out of the hands of those who are most qualified to contribute.

- Single point decision-makers cannot make best use of an exploding and increasingly complex array of information, evidence, standards and guiding principles The volume of this information and evidence has become too great for single point decision makers to consume and to reliably ingrate into their decision-making

- By their very nature, these systems often lock people with expert knowledge and understanding out of the decision-making loop. In a world of ever-increasing complexity and burgeoning knowledge, it is difficult to construct a rational argument for persisting with such structures and systems of decision-making in government.

- Senior bureaucrats may fail to access or may ignore advice from those who are more skilled and make decisions on the basis of their own more constricted knowledge and skill in the area concerned or on the basis of their own values and beliefs.

- This may in future expose these senior decision-makers and government to new forms of legal liability.

3. 'Public servants' all too often find themselves pre-occupied with the 'urgent' (whose urgency?) rather than the 'important'.

4. Public servants are frequently required to provide short 'one' or 'two-page' briefings on matters that are complex, difficult analytically and certainly unable to be distilled in a valid, reliable and precise manner, in one or two pages.

   - Yet decision-making often occurs on the run and on the basis (or regardless) of such one-page briefings.

   - Once again, this reflects a wisdom and competence limiting concentration of decision-making responsibilities and powers in a small number of people at the top

5. In Australia, senior public servants often find themselves pre-occupied with providing 'plausible explanations' in support of their political leader's political arguments. In essence, public servants are often engaged as 'political party servants' rather than party neutral 'public servants'. As discussed previously, whether this is faithful to the intended purpose of a public/ civil service or not and even if it is, whether it should remain so, is open to further evaluation and contest.

6. At the most senior levels of public management, decision-makers may often feel they must by necessity, engage in micro-management to the detriment of macro-management (i.e. visionary strategic and tactical planning and for cross-sectoral endeavour as the norm rather than the exception). Political pressures to come in on budget are an example of the factors that may force such emphasis on micro-management. There is no mechanism and too little time available for decision-makers to sit back and 'think' and to demonstrate true leadership, nor to meaningfully engage the community and other public, non-government and private sectors for effective whole of government approaches. Under these circumstances, it is unrealistic to expect that 'silo' thinking and practice will not persist'

7. Decision-makers often read very little.

   - Sackett et al (1998)[75] suggest that a physician must read 19 journal articles each day, 365 days a year, to remain in touch with developing evidence in his/ her specialty area. This is of course logistically impossible for any one individual. Sackett and colleagues point out this means an Internet based systems approach to targeted literature searching is required to optimise the capacity of any one clinician to keep up with the evolving evidence base, as imperfect as this may also be.

   - Are we to believe other professionals do not need to keep up with evidence in a similar manner, as it unfolds in their own areas of professional engagement?

8. Numerous persons, who are appointed to key decision-making positions in government in Australia as internationally, are ill-equipped for the roles and responsibilities of the positions they fill. This has an enormous knock on effect on

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[75]Sackett, D.L., Richardson, W.S., Rosenberg, W. and Haynes R.B. (1998). Evidence-based Medicine, How to Practice and Teach EBM, Churchill-Livingston, Edinburgh.

the quality of decision-making and activity, or its absence. There are many possible explanations for this, including: an inadequate pool of expertise and experience, inadequate attention to education, training, workforce development and career structures, unattractive workplace policies and conditions, administrative indifference towards ensuring a competent and motivated workforce and pseudo-scientific selection processes that propagate less than optimum selection decision-making. Sadly, nepotism is also often a problem.

9. From time to time, pressures for downsizing the Public Service and increasing the outsourcing of technical business has led to a loss of competence, such that in many technical areas, the public sector has no critical mass of expertise, in-house. The loss of corporate memory is also sometimes an issue that impacts on departmental performance.

10. A partially and perhaps increasingly 'content-free' (generic) public service often means decision-makers may not have adequate capacity to understand the issues that need to be put to consultants when constructing tender proposals and less than adequate capacity to analyse their reports and recommendations, and implement them with fidelity, if accepted.

11. Unrealistic timeframes and budgets are often assigned to tenders and to projects. The best consultants are often the busiest and least able to put together a tender within the tender time frame, with commensurate limitations on the quality of research that can be done and the reports that can be provided. Poor consultant selection can add to inadequate or misleading problem analysis and poor decision-making. This can be symptomatic of insufficient specialised skills among public servant in the area concerned or indifference to the task at hand. There are significant competency limitations among many consultants, also. It is not uncommon for consultants to be contracted to investigate and report on technical fields and issues in which they possess too little or even no expertise or experience.

12. In Australia, State, Federal and local governments seem to attract a narrow repertoire of expert knowledge, for example, lawyers, some doctors and people with an economics or commercial background. Office in local governments seems particularly attractive to small businessmen and to people with less formal training, the 'butchers, bakers and candlestick makers' and to young people recently out of school. I would contend these people often bring narrow fields of knowledge, experience, understanding and vision to the position and are often unable to understand their core business and gain an adequately grasp of the technical advice that is provided to them. They often appear ill equipped to understand and make difficult decisions about complex problems, alone. They may posses less formal types of expertise that is essential to good governance but different methods could perhaps better capture this in decision-making. Communication with constituents is too often limited to newsletters that address mainly superficial issues and to managing complaints. There is no system of routine and meaningful participatory dialogue with constituents for policy review and policy development.

13. Parliament and parliamentary committee debate is influenced too little by expert testimony and by evidence and its robust analysis in context. Even when it is, politicians may fail to fully comprehend the technical details that are presented. This is evident from an inspection of Hansard, for example, recently when a series of experts presented evidence to a House of Representatives Standing Committee on Family and Community Affairs inquiry on drugs' [76]
- Parliamentary Committee recommendations are in any case, often overridden by the executive of government, even when the Committees may be comprised of representatives from all major parties and when these recommendations sit unhappily with party politics or the ideology of the political party in office (or those of the Chief Executive)

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[76] Briefing Notes Provided to Standing Committee on Family and Community Affairs Inquiry into Substance Abuse in Australian Communities, Professor Olaf H. Drummer, Victorian Institute of Forensic Medicine, Department of Forensic Medicine, Monash University on the role of drugs other than alcohol in causing motor vehicle crashes. September 23, 2002. Ref:
http://www.aph.gov.au/hansard/reps/commttee/r5665.pdf

14. The Westminster system as it currently operates in Australia seems to preclude politicians from ever conceding they have made an error of judgment or that alternative propositions arising from other parties may have as much or greater merit. Admitting error is seen as a weakness (rather than strength) in the individual and a calamity for the member's political party because of fears that it may lose critical votes if seen to be admitting it was wrong or showing it is weak.

- When a politician makes an error, the predictable response is to deny error, place a favourable explanation ('spin') on the outcome, then attack and continue to attack the opposition to deflect attention. Error is never admitted.

15. Political leaders are too often pre-occupied with protecting personal and party image, presumably in order to boost the chances of remaining in office. It would appear that politicians feel compelled to object to and criticize each and every utterance of their counterparts, regardless of evidence or merits, all in the name of "effective adversarial parliamentary debate" and "democracy". While adversarial approaches can bring transparency and accountability to decision-making, adversarial responses are often plainly political in motive and often superficial and simplistic in analysis (and wrong). Adversarial criticism across the floor of parliament or in the media is sometimes justified but all too often, it is perfunctory, immature in style, less than well informed, sometimes counter-productive and usually confers little intellectual credit on those engaging in the process. In the context of current models of participatory democracy, the constituency may feel powerless to express their chagrin when observing such immature, often deceitful and often unintelligent political discourse. Such is the double-edged sword and clumsiness of adversarial politics.

16. The politics and power relations between the three tiers of government (Federal, Sate and Local) are often adversarial, personal opinion-based and irrational, uncooperative and even counterproductive.

The Salience of Empirical Evidence and Scientific Method for Good Governance

The foundations of evidence–based medicine is the intersection between empirical evidence, expert opinion and people's preferences expressed in light of the evidence and expert opinion that is offered to them. The application of this paradigm to decision-making for good governance is notable in its paucity in the governance and public administration literature.
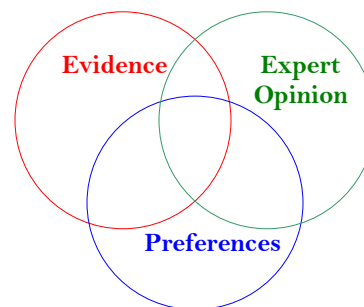
In considering the question of the role and location of expert opinion and science in governance, it is salient to note the historical concerns of Appleby (1952)[77], who identified 'the reconciliation of an increasing dependence upon experts with an enduring democratic reality' as the single greatest problem in public administration. This matter looms even larger nowadays and that more careful thought needs to be given to this matter. Scientific method offers something of great value in guiding good decision-making for good governance, notwithstanding its limitations and risks.

My own experiences working in and alongside governments in Australia and alongside political leaders and bureaucrats in many other countries leads me to believe that not enough attention is paid to evidence and to rigorous methods in decision-making. The same concern can be seen in relation to the thorny issue of preferences.

In evidence-based medicine, the basic concept is that the patient expresses their preferences for treatment in light of the evidence related to the treatment options and expert interpretation of that evidence. In these circumstances, the patient may or may not possess a capacity to meaningfully analyse the information and interpretation that is provided. It is the clinician's challenge to frame the problem and treatment options in as simple and understandable manner possible and to correct any misinterpretation that may be evident.

[77]Appleby, P., 1952. Morality and Administration in Democratic Government. New York: Greenwood Press.

Dr. Adrian Reynolds, "Far Reaching Reforms in Democratic Governance & Policy Decision-Making –Our Common Future Depends On It" The Annual Eberhard Wenzel Oration, Canberra, 27 May 2003, Legislative Assembly room, Civic Square, London Circuit, ACT Canberra

27.

Preferences in decision-making for governance present the same and additional challenges. For example, the issue of whose preferences should be listened to, whose preferences should be counted, even accorded greater weighting in decision-making and what proportions of any population should be taken as sufficient support for an idea or proposal to be embraced, arises. When should one vote mean an issue should be explored? When should a simple majority be sufficient to get a proposal over the line? When might a two-thirds majority be required and when might an absolute majority be required, and why? These are issues that have immediate salience to the United Nations and its structures and processes for decision-making and governance, where obvious problems of this nature are pervasive.

Failure to pay more attention to who makes which decisions and how, diminishes the capacity of a civil society and the state to best address the challenges and problems that are faced. The design of the structures and processes of governance as they arise from within the State and in other sectors of society (the commercial sector, the media, non-government organisations, civil society groups and private citizens), are central to any society's efforts to protect and promote its future.

There are times when policy decisions are clearly made on the basis of the personal values and beliefs of a political decision maker, surely a contradiction in terms when it occurs in the context of representative democracy. The world has witnessed other contestable uses of the powers of a position of Chief Executive in recent times, internationally. The war in Iraq is an obvious example, with President Bush now unable to produce evidence to date in defending his unilateral decision to attack Iraq. I contend that an important challenge for those devising new models of governance would be to establish clear boundaries around the roles and powers of the Chief Executive of government (see Appendix 1 for Proposed Guiding Principles for New Forms of Governance).

In defence of this challenge, I have heard it argued that government is elected on the basis of its political ideology and the overall mix of policies and strategies it presents to the electorate prior to election. This is seen as justification for government to govern in whatever manner it chooses for the duration of its elected term, surely a further problem associated with the concept of representative governance.

I acknowledge that the idea of placing more weight on scientific principles and scientific evidence in decision-making must be counter-balanced by an appreciation of the serious limitations and dangers of placing blinded faith in 'science'. There are many facets of life for which there is limited or no 'good evidence' to draw upon or the evidence that is available is contestable in terms of methodological considerations and analysis. There is so much that remains to be understood about human biology, sociology, human behaviour, the environment and all other aspects of life. In addition, it is incorrect to claim that 'good science' is devoid of subjective or moral interpretation. Science is often highly political in its motivation and in its interpretation and is invariably associated with substantial value judgments, although these may not be readily identified until one looks more closely.

Advocates of post-modernist thinking would argue in favour of the validity of local knowledge, trial and error, intuition and experience as factors that ought to be considered equal to the traditional scientific methods of observation, induction and experimentation. To this they might add that the rational, objective truths and certainties of science and medicine are not as true and not as certain as they once may have seemed. Furthermore, one must consider concerns that the pursuit of evidence is often highly biased by personal and political agendas and that there is a bias towards the publication of positive over negative or null findings.

Any discussion of the use of science in policy decision-making must consider issues associated with the use and interpretation of qualitative information and quantitative data. The issue of what should count as evidence (and how it is presented) is in itself open to contest, as is the assertion that evidence should, without challenge, be employed deterministically to plan policy and practice in advance. There are for example, legitimate concerns about the over-emphasis on randomised controlled trials as the 'gold standard' of evidence gathering and of quantitative methods, to the relative exclusion of qualitative methods and qualitative information. Of course, a randomised controlled trial is not always in the most useful and appropriate method to use when seeking to establish evidence. A case controlled study design will be more appropriate when investigating rare events or rare causes. Then too, the sampling frame, the selection criteria and application of the intervention often bias case-control studies.

Bayesian statistics has something different to say about cause-and-effect and supporters of the Bayesian statistics believe that conventional statistical tests are an improper basis for policy decisions because they dichotomise results according to whether they are or are not significant. They argue that conventional statistics do not allow decision makers to take explicit account of additional evidence - for example, of biological plausibility or of biases in the studies. (Lilford and Braunholtz, 1996).[78]

Proponents of the Bayesian approach suggest this method overcomes both these problems. A Bayesian analysis starts with a "prior" probability distribution for the value of interest (for example, a true relative risk) that is based on previous knowledge and adds new evidence (via a model) to produce a "posterior" probability distribution. Since different experts will have different prior beliefs, the process of sensitivity analyses can be applied to assess the effects on the posterior distributions of these differences. A sensitivity analysis allows us to examine the effects of different assumptions about biases and about the model, which links the data with the value of interest.

The principles of 'decision analysis' that are applied in evidence-based medicine can also be applied to public policy decision-making. Decision analysis is a technique that enables a quantification of the effects and impacts of different options involved in a decision. Decision analysis helps us to choose between any number of options through an accounting method that takes into account probabilities of multiple outcomes as well as the relative value of each outcome (Friedland et al, 1998)[79].

By way of example, what does the evidence tells us about 5-year survival prospects associated with the natural history (no treatment) and each or a combination of treatments for breast cancer (radical or modified surgery, chemotherapy, radiotherapy, alternative medicines etc.), balanced against quality of life considerations? In this case, a clinician advises the patient of the evidence in relation to each options (and its potential risks and costs), and the patient expresses their treatment preference(s) in light of the evidence and expert opinion that is provided.

Since values must be applied to each 'good' (utility) and 'bad' (disutility) outcome identified in the decision tree, one might ask when dealing at the population level – whose values should be taken into account in decision-making for governance?

Evidence is not always conclusive. Replication of evidence using standardise scientific process can add to the reliability and validity of findings. There are concerns that only well-funded, large, multi-centre trials are published in first-rank, high-impact-factor journals (Chan & Chan, 2000)[80].

There are also concerns about the dehumanisation of society through science, technology [and contemporary economic theories] – that technological advancement and efficiency "have left people feeling disconnected with one another" (Utley, 1998, in Chan and Chan 2000).

Gray (1997)[81] points out that "it is not possible to distinguish evidence about effectiveness and safety from values in a clear and mutually exclusive way … but it is possible to gather information about, for example, public preferences and to use these in decision-making". To this he adds the need to gather information about resources and values and to incorporate this information into decision-making, in this case, as it relates to health care. Of course, preferences change in the presence of new information, improved knowledge and deepened understanding.
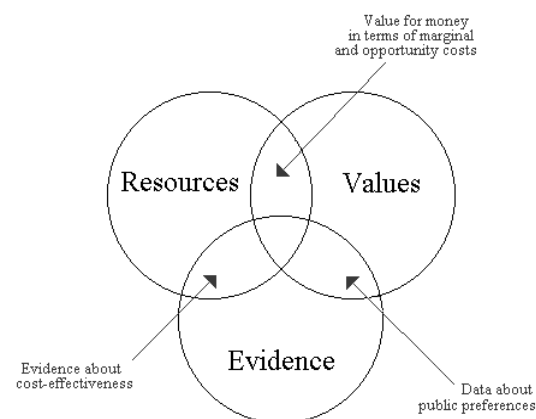
[78]Lilford, R J Braunholtz, D The statistical basis of public policy: a paradigm shift is overdue Education & Debate - *For Debate* BMJ, 313(7057) 7 September 1996, 603-607.
[79] Friedland D.J., Go, A.S., Davoren J.B., Shlipak M.G., Bent S.W., Subak L.L. and Mendelson T., Evidence-Based Medicine, A Framework for Clinical Practice, Appleton & Lange, Stamford, Connecticut, 1998.

[80]Chan JJ and Chan JE, Medicine for the millennium: the challenge of postmodernism, *MJA* 2000; 172: 332-334.
[81]Gray, J.A. Muir, Evidence-Based Healthcare, Churchill-Livingstone, 1997.

A critical question arises from these observations: what is "good decision-making"? What are its defining elements? (Gray, 1997) It is suggested that good decision-making in clinical medicine takes into account three core elements:

1. **Evidence**
2. **Values**
3. **Resources**

It is salient to note that this model does not factor in or give any credence to "beliefs" and how these should be handled. Do private beliefs that are not founded in evidence or that may be considered scientifically implausible have a legitimate role to play in public policy and other decision-making or are they mutually exclusive to a decisional calculus that rests on the core principles of "evidence based decision-making"? If one could tally up all episodes of decision-making through history, one might find that those based on intangible or unsupported personal belief (particularly those of a religious or spiritual origin) would likely far outweigh those based on careful consideration of evidence weighted against clearly conceptualised and articulated values and the best use of available resources. Beliefs are rarely formed on the basis of careful scientific observation or evidence. Rather, they are often based on blind faith or incomplete or wrong information or analysis. They are often erroneous and often have the potential to do harm.

However, there is an alternative perspective, which rests on the idea that that the community is entitled to decisions based on their own beliefs and preferences, regardless of evidence. Beliefs are a central element of human existence and may be of immense utilitarian value to individuals. Democratic societies generally recognise the right of their citizens to hold different beliefs, even when these might be scientifically implausible or when they seem at odds with evidence - providing they do not harm others and providing those involved have attained the age of consent.
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While this view does not rest well with the ideas that I put forward in this paper, it is one that cannot be lightly dismissed. I reject it on the basis that it is incongruent with competing principles to which I assign greater weighting – the need to do what we can to protect and promote our common future, as outlined earlier in this paper.

In tallying up all episodes of decision-making, one might also find that very few government and other decisions are based on a careful consideration of the likely effect sizes of a particular set of policy and intervention responses that flow logically from policy. Few decisions are based on a pre-intervention identification of the effect sizes that are adopted as a basis for subsequently evaluating such policies and intervention as "effective" or "meaningful" or "worthwhile". Few decisions would be accompanied by a sensitivity analysis related to a range of possible input/ output/ outcome scenarios or be based and on a careful analysis and weighing up of the opportunity costs and marginal cost-benefit of one policy option and intervention versus those of alternative policy options and interventions. Few decisions are made only after the potential risks and costs are also taken into account and weighted in some structured manner against the potential benefits of acting in the manner proposed.

Practical Challenges Associated with the Use of Evidence in Decision-making

Of course, there are other practical matters to be considered.

Firstly, in many areas of life endeavour, there is insufficient or no "good evidence" (especially level I or II evidence) to guide decision-making in the context of a calculated decisional framework. As mentioned earlier, evidence is in any case invariably the subject of expert, political, and moral contest.

Secondly, time, resources and local knowledge and skill are such that this would, in many circumstances, be simply impracticable.

Thirdly, expert opinion is inevitably imperfect and limited in its coverage; 'experts' with specialised knowledge and skill in one circumscribed area are likely to lay persons in most other areas.

Fourthly, concerns could legitimately be expressed about mechanizing human relations and behaviour to such a degree that people would lose touch with their humanity.

Fifthly, these principles give no weighting to religion and spirituality in decision-making, an idea that would certainly stand as totally unacceptable to many.

However, to ignore evidence where it does exist and to fail to look for evidence where it does not is a recipe for stagnation and invites poor outcomes. The UNAIDS drug policy research

certainly provided grounds for serious concern in this regard, in the seven Asian countries mentioned earlier.

The question of what relative weightings ought to be accorded to evidence, values and resources, also remains. On what basis should or indeed can this be decided? Perhaps this is an area of legitimate moral or political contest?

Price (1959)[82] discusses what he sees as a pervasive danger in all organisations requiring specialised expertise. He observes that the expert may come to believe that his science justifies exceeding his authority'. But this concern would seem to hold true for any decision-maker, regardless of the basis for their authority, 'expert' or other.

Decision-making that is aimed at enhancing social justice, better health, better living conditions and improved life opportunities would seem difficult to argue against. These goals stand in tension with a world of increasing economic opportunism that is too often fuelled by self-interest and sometimes by greed and that often fosters more inequity, poverty and deprivation. While I acknowledge there is continued contest in the literature, the theory of economic trickleism appears to have no legs.[83,84]

The social and economic environments that have and continue to be constructed both globally and locally are too often based on narrow self-interest. That might be seen as a common human failing though from a human aspiration and goal driven perspective, one might argue it can often be a human strength.

It is not my assumption that people generally value decision-making that places an emphasis on ecological sustainability, the promotion of social capital[σ] or the development of more socially just communities – because too few have

a good knowledge and understanding of the reasons why these things are important. Elections are seldom won or lost on the basis of these issues in countries with systems of democratic governance. This remains an important challenge for all civil societies.

In response to concerns about the limitations of science and evidence forming an important basis for decision-making, I argue as follows:

It is fair, indeed crucial that the limitations and dangers of relying on scientific methodology and scientific evidence as a basis for decision-making and good governance be acknowledged and taken into account. Clearly, there many aspects of human existence, human behaviour and issues related to "our reason for being", which science and structured mechanisms for decision-making can never address. Public health policy and planning cannot only be driven by quantitative data and by the science of epidemiology and bio-statistics.

Many authors have written about the need to balance the use of quantitative data with more attention to qualitative data and to the humanitarian disciplines, for example, those of ethnography, anthropology, sociology, bio-ethics and philosophy. I would agree with this. Values and personal judgments are a core element of our humanity that can neither be discounted nor devalued. However, I would contend that an under utilisation of science and its methods – an unquestioning adherence to post-modernist views – is just as problematic as an unquestioning adherence to science. It would seem axiomatic to suggest that adherence to a position lying at one or the other ends of the spectrum can only serve to limit our options for moving forward and for protecting our common future.

As such, I would argue that where high level, replicated evidence is available, it should be factored into decision-making and weighted according to the level of confidence that we can have in this evidence and its salience and relevance to the question(s) at hand. However, reference to such evidence will always need be balanced by other decisional rules such as those affording weight to the principles of equity, participation, access and human rights and to community preferences. Decisions related to maximizing economic benefits in policy and practice should similarly be adjusted according to these competing human-oriented principles. Most importantly, where a decision is made to ignore or intentionally diverge from policies and practices that are well supported by 'good evidence', it should occur in an environment of

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[82]Price, D.K. 1959. 'The Judicial Test,' in Morstein Marx 1959, pp. 475-499.

[83]UNDP, Overcoming Poverty, UNDP Poverty Report 2000.

[84]UNDP, Human Development Report, 2001.

[σ]While recognising this is itself a contested concept. For example, Erben, Franzkowiak and Wenzel, 1999 criticise the social capital concept on the basis of its assumptions that individuals, groups, and organizations sit in one boat and need to collaborate in partnership to achieve the objectives of health promotion. It assumes they have equal access to all resources needed for this collaboration and that all players will equally benefit from the collaboration. They see these assumptions as unrealistic given the vast inequalities in health in all countries of the world that arise in large part from unequal distribution of wealth (income), leading to inequalities in education, employment, and access to social, political, and economic resources.

openness, transparency and accountability. It is acknowledged that decision-makers cannot easily report on the subjective aspects of their decision-making. However, the basis for decisions should be made known to the community, particularly when evidence is to be discounted or where other competing principles or values are to be assigned higher weighting. Judicial review legislation is an example of a formal approach to this problem.

For example, if leaders of a nation state choose to ignore evidence in support of harm reduction policies and interventions for preventing drug-fuelled HIV epidemics for reasons of moral or religious belief, they should tell their citizens this. In a democratic state, this would ensure such decisions are truly representative of the wishes of its people.

Where there is uncertainty, two other principles ought to apply:

1. **The precautionary principle** – this principle is a variation on the risk management paradigm as an instrument for governance. It refers to the adoption of certain policies, strategies or interventions aimed at preventing a seriously harmful set of outcomes where all available evidence, experience and inductive thinking suggests that to act otherwise or to do nothing will very likely lead to a seriously harmful outcome while the adoption of alternative strategies is considered likely to be effective in averting or mitigating such disaster. According to this principle, the decision to act is taken before convincing scientific evidence is available to demonstrate the effectiveness of this new set of policies, strateg(ies) or interventions in this new setting or context. An example of this would be adopting harm reduction strategies for preventing HIV epidemics in developing countries, even when evidence of their effectiveness in a similar culture is lacking.

2. **Hypothesis generation and testing**: important issues for which there is little or no good evidence to guide decision-making ought, as a matter of routine practice, be subjected to the development of hypotheses and these hypotheses tested out, so that decision-making on this matter does not continue indefinitely as a blinded, personal opinion-based endeavour. Once again, it is appreciated that there will be issues around which such mechanistic approaches to

problem solving or policy construction will be neither appropriate nor helpful.

Two further principles are salient:
3. Paying serious attention to lessons learned and new data, as already mentioned.
4. A culture of diligent reading and learning (both of which are often not sufficiently well demonstrated by those in key decision-making positions.)

Representative Democracy a Blunt Instrument

There are many that defend our current systems of democratic governance as a noble institution that by and large, serves us well. Others hope for more.

As an observer who has worked first hand with political leaders and bureaucrats in many diverse national, political, socio-cultural and economic settings, I find much to be concerned about. I see significant limitations and problems associated with representative democracy, as it exists in Australia and in other democracies in which I have worked and studied. Of course, I have also worked in countries where undemocratic systems of governance hold sway. While such systems do not pass first base in any exploration of good governance, I would ask the question, must representative democracy as we know it, now be considered too blunt and clumsy an instrument for moving societies forward and satisfactorily addressing the complex problems and challenges faced?

The question arises, is a more participatory model now worthy of trial, just as we trial a range of medical treatments and social interventions when looking for new answers? Might pathways towards better governance require new forms of operation and integration of non-democratic forms of human organisation and decision-making? For example, appointment on the basis of demonstrated competence rather than on the basis of democratic election stands as a guiding principle in the civil (public) services in many countries, while acknowledging its problems and limitations. However, elected officers can (and frequently do) ignore or usurp the most rigorous and technically competent processes of problem analysis and solution generation, when it suits their political purpose. However, in there are other models that are framed around the requirements of emergent transnational governance. The European Union adopts some governance structures and processes that do not always rest on democratic principles and this is

an issue of considerable debate and contest (Fonte, 2002). Might pathways to 'good governance' be found in the juxtaposition of a range of decision-making frameworks including scientific methods, ethics and values and democratic process or might it require a completely different set of paradigms?

Perhaps Trevor Hancock's optimistic view of the fictional healthy and sustainable city of Greenville provides a plausible pathway forward in this regard, particularly with respect to the downwards devolution of power that Giddens (2000) also imagines.[85]

In Australia, we have a political system that is based on the Westminster system. As we all know, there is active interest in Australia in moving from a constitutional monarchy to a republic. This would bring a number of changes in the way we are represented in government and to power relations, among other things. While there has been much to do about this, I would see such changes amounting to little more than a tinkering at the margins where it really counts.

A change in the Constitution to establish Australia as a Republic will not bring about substantive changes of the nature that I (and others like Giddens) believe necessary if we are to establish systems of good governance. Moving to a republic will not bring substantive change to the manner in which decisions are made and to the structures, the location and the processes of governance, of the nature that others and I referenced in this paper, envisage. I contend that we need to do much more than shift from a constitutional monarchy to a republic, at least, as I understood the arguments that were made during the Constitutional Convention in 2000.

Towards More Participatory Models of Governance

The idea that participative democracy may provide a more satisfactory pathway to good governance than current forms of representative democracy points to the crucial importance of community development in its various forms (alongside the necessary structural and political reforms), as an enabling component for moving decision-making to the locations and levels where the appropriate expertise, experience and wisdom resides. This would render less

necessary and less frequent the political need for a distillation of evidence, information and policy briefings to the point of unhelpful summary. At the same time, one of the challenges for those designing new systems of governance and models for decision-making would be to establish innovative frameworks for cross-sectoral 'problem' analysis, problem solving and implementation. This would be facilitated by reforms in departmental structure and methods of operation, program development and budgetary management.

The question of community development and one aspect of this, community participation[±] as a basis for new forms of participatory democracy and governance raises a conundrum. It is my assumption that unless this occurs on the basis of a 'lessons learned' and informed contribution to decision-making, it is likely to hinder evidence-informed, "good decision-making".

It is my thesis that none of these things are possible in an absence of due attention to evidence in decision-making and to the adoption of more structured approaches to human problem analysis and problem solving. It is also my observation that when decision-making is placed in the hands of the unknowing, and when the lessons that have been learned are forgotten or ignored, counterproductive primal responses are more likely. For example, a proclivity for the application of punishment and aggression as solutions, and often in an inequitable, unjust and disproportionate manner.

While it is my thesis that better governance-related decision-making is likely when persons who understand and are well equipped to critique and incorporate evidence, I recognise that the challenge of community development and community participation in decision-making for good governance, is more complex than this.

I would contend that present systems, styles and locations of governance do not provide a suitable environment for applying the ideas and principles that I raise in this paper. The manner in which democratic societies currently structure and manage available contexts and resources for decision-making, often precludes this.

Placing all of these considerations and ideas aside, it may come down to what people want

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[85] Hancock T. Chapter 21, A Healthy and Sustainable Community: The View From 2020 In Chu C. & Simpson R. Ecological Public Health: From vision to practice, Chapter 21, A healthy and sustainable community: The view from 2020, Griffith University (1994).

± Community control, community representation, community involvement, community consultation are different types of participation with different degrees of power and of ownership of the process of decision-making.

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for themselves, for their families, for their communities, today and in the future. By way of example, while research arising from the endeavours of a number of disciplines suggests that equity is a good idea – that as an important determinant of health and social well being it should be valued and promoted, people may not be willing to share.

Children understand equity intuitively and are quick to pick up on and complain loudly if they perceive any inequality or unfairness in their treatment. "It's not fair – Jessica got a bigger one than me" or "Jessica got one and I didn't get anything". However, this valuing of the principles of equity among children is usually based primarily on receiving rather than giving, for fairness sake. That is, unless parental modelling promotes giving and sharing.

The trend towards a fostering of nuclear rather than extended families is disturbing. This phenomenon appears to be adding to forces moving communities away from those that value and foster equity, social connectedness and social cohesion to those that are inwardly focused and self-serving. Even more disturbing is a trend, at least in many Western countries and perhaps to an increasing degree in countries of the South, towards nuclear families of the most limited and utilitarian nature possible – as a new generation is added, the previous is discarded or placed on the margin.

In many societies, parents have become less important and less valued as children enter the family and the cycle may be repeated over subsequent generations. Increased social and geographic mobility, fostered in many cases by employment opportunities that lie distant to the origins of the family, are contributing to this trend. Religious leaders may be on sound ground when they observe that this is one of the costs of moving away from a spiritual basis for individual and community life to one that is founded on materialism and maximizing economic development.

Among the most important of challenges to the ideas that I put forward here is the fundamental question of whether science, empirical evidence and structured thinking and problem-solving offer anything more than current approaches to governance where political contest, power relations, the location of decision-making authority and self-interest stand as powerful foundations for the manner in which we arrive at decisions. It may be that there are no good solutions to some of the problems that I outline in this paper. After all, we are all just human beings and as such, we all have intellectual and emotional limitations on what we can achieve.

The way Lynn and Stein (2001) see it, 'governments authorise imperfect people to use flawed procedures to cope with insoluble problems'. They see the results of their efforts as 'remarkably effective given the exigencies of their roles'. In a similar vein, Wilson (1989)[86] argues that the public manager may have to deal with inadequate resources, unreasonable or unrealistic workload or reporting requirements, inconsistent guidance, or missions defined so as to be virtually unachievable.

This begs the question, are the outcomes of current forms of governance, even in developed countries with solid frameworks for democratic decision-making, performing well enough? Can human kind do better? Must it do better? How optimistic or otherwise are we justified in feeling about our chances of solving or mitigating the many and serious global threats faced by nation states through present decision-making processes and environments where governance takes place?

Macdonald and Scott (2002) [10] suggest that much depends on one's perspective as an optimist or a pessimist about the perfectibility of society. In their view, 'the question of regulatory governance often can be reduced to perspectives about the perfectibility of people and society: to what extent can (or should) people be trusted and left to their own devices? Conversely, to what extent should (or can) the state to actively seek to manage the detail of everyday life?'

The practical mechanisms for developing ('inventing') new forms of governance and decision-making, on the basis of a guiding set of principles such as those proposed above, requires multiple forms of expertise, experience and wisdom. It would contradict the ideas presented in this paper if one or a small number of people with limited and limiting capacities should attempt this task, one that is perhaps among the most significant, complex and challenging tasks one could imagine. I offer these ideas as an observer of the world rather than as someone with expertise or special insights into the manner in which, as Macdonald and Scott (2002) describe, civilizations can shift into a different space and afford themselves more opportunity 'to identify and manage their aspirations and actions in a

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[86]Wilson, James Q. 1989. Bureaucracy: What Government Agencies Do and Why They Do It. New York: Basic Books.

manner than affirms and promotes human agency'.

It may be that the weaknesses and problems that are associated with contemporary 'politics' as I describe them in this paper reflect a natural human characteristic that can never be quelled. Perhaps the best we can hope for are processes in which evidence can be used to modify political processes rather than substitute for them. If the politics of human decision-making cannot be quelled, humankind's capacity to meet the challenges that I describe appears less than favourable.

It cannot be left unsaid that far-reaching changes of the nature I refer to in this paper are unlikely to be well accepted, generally speaking. As Scott (2002) points out, radical changes make people and legislators alike uncomfortable, and often lead to outrage among citizens who are used to dealing with the familiar and see innovation as a threat to stability. This may mean that the only plausible pathway forward is to await a shared concern about a looming Armageddon, if and when such a time arrives, when citizens of the world might arise from their slumber and agree that complex problems now require more carefully crafted solutions, arrived at through more sophisticated structures, processes and locations for decision-making and governance.

Concluding Remarks

In summary, like my treasured friend and colleague Eberhard Wenzel, I am troubled by much of what I observe in my work at home and abroad. Too often do I observe mediocrity of human effort in lieu of excellence, in decision-making and in governance where governance takes place, be it governance executed by the State, by non-government organizations, in the private sector, within civil society groups or as private citizens. Too often do I observe serious social and health problems that are matched to less than well thought-out, often counterproductive and often harmful human responses. Too often do I see failed strategies based on some variation of the punishment or state violence paradigms, applied to the detriment of those who are most disadvantaged and who suffer most, already. Too often do I see a proclivity for simplistic solutions when only attention to detail and to inherent complexity offers a meaningful pathway forwards. Too often do I observe ineptitude and dishonesty among our political leaders.

The public recognises there are immense problems with the systems of public administration and governance that so powerfully influence their environment and their life course, but inadequate personal skill, low motivation or a sense of powerlessness may prevent them from effectively challenging or calling their political leaders to account. Current systems and processes of governance also do not make this easy or even possible.

Elections are blunt edged swords and do not provide such opportunity. The public does not trust or revere its politicians. Less than erudite decision-making seems to be accepted in an almost fatalistic way. Repeated failure to demonstrate competence, to tell the truth and to keep promises is sanitised in the media as 'spin doctoring' as if this is to be expected and nothing needs to be done about it.

Having said this, I believe it is unproductive and wrong to place the blame for these maladies at the feet of individuals, alone. Rather, I see the problem as one that has it roots in the failure of the social systems and structures of government (including our own Westminster system of government and the Republic system of the United States) and social ordering that have evolved over centuries. Politicians and public servants are elected or employed and behave in a manner that is largely shaped by structural factors and by socio-political norms. In substantial part, citizens also behave and make good or less good choices in the context of their macro-environmental and structural realities and in the context of their life experiences, life opportunities and life burdens. More attention needs to be paid to how we make decisions, communicate, relate and look after each other in the collective and to the environments and social structures that we build. The idea that individuals act in a vacuum that is divorced from these external forces simply does not stand up to scrutiny.

Current structures and systems of governance stand as serious barriers to human progress. They do not provide a suitable platform from which the numerous, complex and difficult challenges facing human kind today can be effectively addressed. If anything, these systems are serving to magnify and perpetuate human problems. Any model that locates and concentrates the powers and responsibilities for decision making at the top of a hierarchical structure is likely to be associated with a high rate of inadequate or faulty 'problem' analysis and decision-making, particularly when it comes to problems requiring specialised skills. Any system of governance that places personal

opinion, personal values and political expediency ahead of evidence, skilled analysis and truth telling cannot be seen as 'good governance'.

In view of these observations, I see a need to start afresh in conceptualising what is we aspire to and how we will seek to get there. Most of all, I see a need to radically rethink the location and manner in which we make decisions in all areas of life and the structures and methods of governance we adopt. I know Eberhard wanted this too.

It is clear to me that new structures, locations and processes for democratic decision-making and for local, national and transnational governance are required, reaching far beyond the piecemeal structures and processes that we currently adopt to regulate and give direction to our daily lives. I see a need for a structured 'lessons learned' approach to be adopted in all areas where governance takes place, so that faulty decision-making and errors are not continuously repeated. I also see a need for a shift away from the narrow fielded vision, the clumsiness and the long term problems associated with an unfettered application of neoliberalism in public administration, economic and social policy.

But from whom and where will the skills, the wisdom and the foresight arise to meet this immense challenge? The United Nations does not have the capacity to take the lead role in this, at least not in its current form and manner of operation. Indeed, while I have felt honoured to be invited so often to work with various agencies of the UN system, I have witnessed first hand the very serious challenges which the UN itself faces with respect to its own structures, systems and processes of decision-making and governance.

Given this observation, it is not readily apparent to me what mix of agencies, bodies and individuals might be suitably equipped to embark upon the most important of social research questions confronting humankind today, the development of new frameworks and models for decision-making and 'good governance'. That is a question that I leave with the audience and for others who might see value in pursuing these ideas.

I see the need for the some of the best minds of the world to come together and to make a start. Perhaps novel forms of democratic governance could be imagined and trialled somewhere in the world, as envisaged by Trevor Hancock (Hancock, 1994), Anthony Giddens (Giddens,

1999), Kinichi Ohmae (Ohmae, 1995), David Held and colleagues (Held et al, 1999), John Fonte (Fonte, 2002) and others.

Who among those on the world stage that are blessed with the necessary insights, capacity and wisdom are up to this challenge, one that I contend trumps all other challenges?

Eberhard, I miss you so much, my friend!

Thank you

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APPENDIX 1

Proposed Guiding Principles for New Forms of Governance:

The following guiding principles for new forms of governance are offered as a starting point for serious exploration of the idea, should it be accepted as a legitimate and worthwhile endeavour. I accept that many of the ideas I put forward here will not survive when subjected to scrutiny by those with more knowledge and expertise in these matters.

A. Representative Participation & Broadening of the Base In Decision-Making
The principles would:
- Incorporate new egalitarian concepts and processes aimed at ensuring amore extensive participation in decision-making.
- Provide for a better blend of broader community involvement in informed decision-making, empirical evidence, expert knowledge and ethics.
- Engage the community substantially more than current forms of 'democracy' where people have only one chance to make a very broad brushed decision about who and what they want in government, every three or six years.
- Be based on greater delegation of responsibility for decision-making.
- Include clearer understandings about who should be involved in which aspects of decision-making, when, in what manner, to what extent and with what relative weightings and authority.

B. Evidential Basis to Decision-making
The principles would:
- Draw upon methodologies such as those now being adopted as part of evidence-based medicine and the theory of decisiona analysis, wherein all available evidence meeting pre-defined standards of reliability and validity (based on sound research that is able to exclude or factor out chance, bias and confounding, rather than tradition or habit), is included in the analysis. Each piece of relevant evidence is according a relative weighting, based on its rated 'level of evidence' as well as end-user preference or other decisional criteria.

C. Better Use of Information & Evidence
The principles would:
- Make substantial use of information technology in engaging relevant sectors of the community in all matters of importance, in working towards decisions.
- Ensure that the entire community is better informed on the established or likely benefits and costs of various policy and intervention options, so they may contribute meaningfully to further discussions and decision-making and so decision-makers are able to make the difficult decisions based on available evidence, balanced by guiding principles such as ethics and the principles of social justice (equity, access, participation and human rights), rather than out of motivation to remain in office.
- One or two page briefings would have no role in executive decision-making, save in special circumstances where succinct and precise information is required to guide decision-making, where failure to act quickly is judged too risky and where the potential outcomes of delaying action are judged to be too serious.
- Information technology could, for example, be drawn upon in applying nominal group techniques to canvass opinions within relevant sectors of the lay community (that possesses its own forms of 'expertise') as well as relevant technical sectors. Information technology could also be used to rapidly establish the level of consensus, support and representativeness of expressed opinion in favour of one policy option or intervention over other available options.
- Where good quality evidence is not available to guide decision-making, available information and consensus among those with most knowledge and experience would be drawn upon, and for issues of importance, there would be concerted effort directed at gathering the evidence required.

D. Continuous Revision of Decisions in Light of New Information– Openness to Change
- Decision-makers would actively seek out and draw upon new information to revise their decisions, in alignment with ideas similar to those reflected by

Bayes Theorem and sensitivity analysis.

❑ Decision-makers would be constantly looking for even better ways of doing things even when current approaches are achieving pre-defined effect sizes that qualify them as 'effective', 'meaningful' and 'worthwhile'. Continuous quality improvement would come to be accepted as a normal part of all human endeavours.

❑ No decision-maker would continue to think and say exactly the same things over time, given the constant evolution or changes in social, economic, physical and other environments and given new information and understanding. The rules of good decision-making would make this untenable. Ideology and personal belief would be handled in a different manner in good governance.

E. Systems for Dealing with Requirement for Urgency in Decision- making

❑ There would be rules and mechanisms that would allow more urgent decision-making, when justified, recognizing that to delay some forms of decision-making until good evidence and consensus is obtained, can be causally associated with avoidable harm and lost opportunities (e.g. the 'precautionary principle'). The health and safety of present and future generations and the environment would be a priority.

F. Safeguards against Narrow Self-Interest

❑ There would build better safeguards against vested interest and corruption.

❑ Decision-making would be placed above party politics and political opportunism – it is unlikely that there would be any role for party politics in such new forms of governance.

❑ There would be no place for opportunistic 'criticism for the sake of criticism' - in the context of attempting to gain political mileage. Instead, ideas would be critiqued in a more sophisticated manner than through current often cumbersome and often immature methods of adversarial politics.

G. Transparency & Accountability

❑ There would be no place for decision-making that runs counter to available evidence and agreed ethical and other standards.

❑ Decision-making would be truly transparent and accountable.

H. Truth Telling & Promise Keeping

❑ Truth telling would become a cornerstone of policy development communications and decision-making. (Seedhouse, 1988). Where there are multiple ways of understanding, interpreting and placing value on an event or situation, this would be openly articulated in public communications without attempt to gain political advantage, since there would be no point in doing otherwise.

❑ Leaders would no longer feel pressured to withhold the truth, to tell untruths and or to exaggerate the truth for reasons of saving face or maintaining position or power, since such status would not be contingent upon performance indicators related to personal image and promise keeping. Rather, such status would be contingent upon the establishment of expanded formal and informal partnerships, collaboration, trust and integrity.

❑ Promise-keeping is important but would be dealt with in a different way – commitment to action would be based on more robust analysis of the short and longer terms costs, benefits and utilities of adopting one policy option among a set of available options.

I. Participation in Governance Attractive to the Best of Minds

❑ Participation in governance in whatever form it takes, would become attractive to people with the best of minds as they would not be subjected to gratuitous or politically motivated criticism. The business of decision-making would be based principally on critical analysis of evidence rather than processes that are opportunistically adversarial and subjectively critical in nature.

J. Demonstrated Competencies a Pre-requisite for Decision-maker Roles

❑ There would be no place in government for person's not eminently experienced, qualified and capable of discharging the serious duties of a decision-maker in government. Those excluded would include people of wealth, armed forces, sport, entertainment, cultural or ideologically

based status – who are not able to demonstrate the competencies required to fulfil the functions of a specific decision-maker role. Charisma and fame would not be a basis for appointment to any level of office in government.

❑ No one and no category of person would be excluded for senior office since everyone would have equal opportunity to demonstrate their competence for participation and/ or leadership.

❑ Religious leadership would not be excluded but its most important role might be to guide and support the appropriate inclusion of ethical, social justice and beneficence principles in policy decision-making rather than in an executive decision-making role, save where such spiritual leaders are able to demonstrate the necessary decision-making competencies.

Modified Role & Boundaries for Executive Decision-Making

❑ There would be a continuing place for executive decision-making but the manner and contexts in which this occurs would be quite different to current practice.

❑ There would be boundaries beyond which such executive decision-making could not exceed.

❑ Executive decision-making would be required to adhere to specific rules and would be allowed to veto a decision arising from the established process (that includes evidence and other accepted guiding principles), only under specified circumstances and when certain pre-conditions are met.

❑ Evidence and widely accepted principles for decision-making, such as those relating to human rights and other social justice principles, would nevertheless remain at the centre of such decision-making.

L. Political Gamesmanship to Play No Role

❑ There would be no place for activity aimed at boosting personal egos or personal point scoring for political purposes as this would be meaningless in a system that was more scientifically rigorous, ethical, participatory, collaborative and transparent in its processes.

❑ There would no place among decision-makers for claims about what they have achieved in office for the community, as decision-making would be the province of a more broadly structured and accountable process and the community would be better informed about such decisions and their reasons.

❑ The benefits of an adversarial system of government in questioning, challenging and debating the evidence, values and preferences and wisdom of policy choices and in ensuring transparency and accountability in decision-making, would be met in other more objective and systematic ways.

❑ However, there would be an important place for the public debate of ethics, values and community preferences in the context of a mechanism that sought a balance between scientific and human–driven, social policy related decision-making. Limitations on resources would also require such debate. It would be a crucial challenge to ensure that a human face and key principles for maintaining and promoting the integrity, conviviality, social capital and sustainability of societies are safeguarded.

❑ Decision-makers would feel able to delay answers to difficult questions from media, political adversaries (if such entities still existed in some form), and others and to delay decisions relating to key issues until due process takes it course and until able to access and give due consideration to all relevant information and analysis.

❑ Decision-makers would feel comfortable admitting errors of judgment rather than deferring to the distortions of 'political-speak' and 'spin doctoring', as this would be seen as strength rather than as a weakness.

❑ It would also be seen as an opportunity for all to learn. This would be facilitated by systems that expand roles, responsibilities and loci for decision-making.

M. Towards More Tolerant, Convivial & Connected Societies

❑ They would move societies away from primal repressive strategies for managing tension and disagreement to those that are more tolerant and that value rather than marginalize and punish difference.

- ❑ Great importance would be placed in enabling and promoting greater connectedness between people in communities.

N. Mechanisms for Global Decision-Making for Ecological, Biological & Social Sustainability

- ❑ Nations would develop progressively closer relationships, moving beyond economic, fiscal and cultural linkages to matters of governance for mutual benefit and ultimately, to regional forms of governance.

- ❑ These linkages would find ways of reducing the economic, health and social inequities within and between nations.
- ❑ There would be an emphasis on policies aimed at increasing net human gain rather than the national product of nations
- ❑ Some matters would ultimately be decided definitively by a regional and ultimately, a global form of governance – only in this way will it prove possible to tackle the many and serious ecological, social, biological and other threats to global health.

Figure 1: Punitive Public Policy & the 'War against Drugs' - a Rubber Mallet/ Steel Hatchet Effect on Public Health & Social Well-being

Figure 1: Decision-makers and the community at large may sometimes derive a sense of moral satisfaction and feel that providence or natural justice is taking its due course when drug users are punished, but in reality, such actions are often largely discriminatory and invariably rebound on the community in an adverse way. The effect is one of a soft rubber mallet on the individual drug use and on drug problems, in as much as these punishment-oriented strategies have little or no enduring, adaptive individual or social impact. The other effect is one of a sharp steel hatchet impacting adversely on the whole community which ultimately suffers a great deal as the arm holding this double edged, blunt policy instrument swings backwards and forwards, delivering its respective blows on the individual drug user and on the community. The resource and intellectual opportunity costs associated with investment in these punitive and socially regressive policies are significant.