

Review

Evidence of democracy? The relationship between evidence-based policy and democratic government

Shaun P. Young

Mowat Centre for Policy Innovation, School of Public Policy and Governance, University of Toronto, 525 University Avenue, Suite 820, Toronto, Ontario, M5G 2L3, Canada. E-mail: shaun.young@utoronto.ca. Tel: 416-978-7103. Fax: 416-978-7203.

Accepted 22 March, 2018

The preceding decade has witnessed the production of a substantial volume of scholarship dedicated to exploring the concept of evidence-based policy – the idea that ‘at the heart’ of properly developed public policy is ‘the best available evidence’. Concomitantly, ‘evidence’ has secured an unparalleled pride of place (at least, rhetorically) among policy-makers, who will often refer to the conclusions of ‘the best available evidence’ when seeking to justify particular decisions. However, a number of additional considerations have been identified as desirably or otherwise influencing policy-makers’ decisions, including fiscal and time constraints, personal experience, societal values, and short-term/long-term political strategy, to name a few. Indeed, arguably, policy-makers in contemporary democratic polities have no choice but to incorporate such considerations into their decision-making if they genuinely wish to produce a policy proposal that is both politically and publicly viable. Does such a situation problematically impede the meaningful realization of evidence-based policy? This essay offers some preliminary observations concerning certain tensions between the idea of evidence-based policy and the practice of democracy and briefly considers the degree to which those tensions might and should be resolved.

Key words: Public policy, evidence-based, democracy, political equality, majority rule.

INTRODUCTION

The preceding decade has witnessed the production of a substantial volume of scholarship dedicated to exploring the concept of evidence-based policy – the idea that ‘at the heart’ of properly developed public policy is ‘the best available evidence’ (Davies, 1999). Among the numerous questions that have been examined are:

- (i) What precisely is meant by ‘evidence-based policy’?
- (ii) Is evidence-based policy a realistic goal?
- (iii) What are the existing cultural and institutional impediments to the realization of evidence-based policy?
- (iv) What mechanisms are necessary for evidence-based policy to be effective?
- (v) What are the limits of evidence-based policy – to what extent is it meaningfully possible to ‘speak knowledge to power’?

A topic that has yet to be substantively investigated is that of the relationship between the concept of Evidence-Based Policy (EBP) and the practice of democracy.¹ Of

course, the relationship between democracy and the policy sciences has previously been the focus of what is now a quite famous examination by Harold Lasswell (Lasswell, 1951, 1971). Essentially and simplistically, Lasswell sought to explain how a properly organised policy development process could be used ‘to improve the practice of democracy’ (Lasswell, 1951: 15). The principal purpose of this study, however, is to determine whether there exist any inescapable democratic constraints on efforts to realize EBP. Though the latter project may also indirectly suggest the need to transform the policy development process in order to ‘improve’ (that is, protect) the practice of democracy, its purpose is not to identify the means by which to effect such a transformation. Hence, though there are certainly areas of complementary overlap between the two projects, their respective objectives differ notably.

The proposed analysis of the relationship between the idea of EBP and the practice of democracy will unfold in the following manner. First, the emergence and evolution

of the concept of EBP will be surveyed. Second, the idea of democracy/democratic government will be briefly explored. Finally, some of the ways in which the contemporary practice of democracy might critically impede attempts to realize EBP will be identified and the prospects for, and desirability of eliminating or minimizing those impediments will be considered. The hope is that the proceeding examination will contribute to a greater recognition of the democratic legitimacy of certain oft-cited and lamented obstacles to the realization of EBP and, in so doing, stimulate a more sensitive understanding of the democratic appropriateness of realizing EBP in anything other than a very modest and fluid way in contemporary democratic polities.

THE CONCEPT OF EVIDENCE-BASED POLICY

The activity of policy-making is as old as human society; and, just as human society has evolved in important ways, so, too, has the practice of policy-making. Among the more noteworthy developments for both society and policy-making were the emergence of 'liberalism' – both as a philosophical and a political project – and the 'inexorable process of democratisation that stirred in the seventeenth century and gathered speed in the eighteenth and nineteenth centuries in Europe and America' (Spragens, 2008: 86). With the articulation and expanding embrace of the principles of liberty and equality (among others), policy-makers were increasingly forced to consider a wide range of issues that may previously have been of little (if any) significance in determining public policy. If, as liberals argue(d), all people should be considered free and equal, then, by extension, no person can legitimately be placed under the authority of anyone else without first voluntarily consenting to such an arrangement (Hobbes, 1968[1651/1668]; Spinoza, 2001[1670]; Locke, 1988[1698]; Mill, 1998[1869], and, much more recently, Rawls, 2001). In turn, if the legitimacy – and, subsequently, survival – of a government is a measure of its voluntary acceptance by those subject to its rule, then those responsible for producing public policy need to be concerned about the likely response of the citizenry to government initiatives. The importance of that caveat increases dramatically for policy-makers (that is, elected politicians²) working within a (genuinely) democratic system of governance.³

The challenges created by the aforementioned developments were subsequently exacerbated by advances in science and technology. The generation of new scientific knowledge and the development of new technology(ies) – especially in the nineteenth and twentieth centuries – increased not only the number and variety of potential policy issues, but also the ability to produce 'evidence' related to the issues under consideration and, consequently, the opportunity for

policy-makers and the public to request 'evidence' to support the policy decision-making process. It also served to ingrain the belief that 'science' and 'evidence' are inextricably interconnected: science produces information that is free of personal prejudices and manipulation, and only information that possesses such objectivity can properly be labelled 'evidence' (or so it was/is argued). In turn, evidence is understood to offer a foundation for decision-making that avoids the distracting partisan considerations that often undermine the generation of effective and efficient public policy.

That belief and the demand for evidence continue to characterise and (further) complicate the public policy development process in contemporary liberal democracies (Pielke, 2007). Concomitantly, 'evidence' has now secured a previously unparalleled pride of place (at least, rhetorically) within the realm of policy-making (e.g., Cartwright, 2009: 127; Laforest and Orsini, 2005: 481): The extent to which a given policy decision is deemed 'sound' and publicly defensible (that is, acceptable) is often a measure of the degree to which it is believed to be 'scientific' and 'rational' in character (Neylan, 2008; Mulgan, 2005; Parsons, 2002; Harries et al., 1999: 32; Martens and Roos, 2005: 82; Pielke, 2007; Lasswell, 1971: 37); typically, it is assumed to embody those qualities insofar as it reflects the conclusions of 'the best available evidence' (Marston and Watts, 2003; Mulgan, 2005; Tilley and Laycock, 2000; Blunkett, 2000). Though policy-makers' concern with evidence is certainly not a new phenomenon, it cannot be denied that 'the scale of the current interest is impressive' (Clarence, 2002: 2; similarly, Evans, 2007: 135; Cartwright, 2009: 127; Nutley et al., 2003: 143).

The ascendancy of 'evidence' in the realm of policy-making manifests itself most prominently in the increasing volume of scholarship devoted to exploring the concept of EBP. Arguably, the present fascination with EBP was precipitated by the contemporary interest in Evidence-Based Medicine (EBM), which has been defined as 'the conscientious, explicit, and judicious use of current best evidence in making decisions about the care of individual patients' (Sackett et al., 1996). The perceived success and value of EBM stimulated an increasingly widespread interest in applying its fundamental principles to other fields and, indeed, to the realm of policy development in general. That interest extended, in particular, to the practice of producing systematic reviews and using them to identify the most effective response to policy challenges. In turn, researchers in fields such as education, criminal justice, social care, transportation, and urban renewal began to pursue projects that adopted the approach of EBM in order to produce EBP. The support for such an approach manifested itself most notably in the form of the establishment of the Campbell Collaboration, an analogue to the Cochrane Collaboration, an organization created specifically to facilitate the production and

dissemination of systematic reviews addressing medical treatments.

However, as Nick Black (2001: 277) has noted, EBP is 'not simply an extension of EBM: it is qualitatively different'. For example, the practice of EBP targets entire populations, as opposed to the 'individual' (that is, patient) focus of EBM, and the decisions associated with the former are generally 'subject to greater public scrutiny' (Dobrow et al., 2004: 208).

It relatively quickly became apparent that, once one broadens the scope of application beyond the realm of clinical medical practice, there are various potential difficulties associated with relying upon 'evidence' to justify the adoption of a particular policy position. Among the more prominent challenges is the lack of consensus regarding the precise character of what can legitimately be labelled 'evidence' (e.g., Nutley, 2003; Marston and Watts, 2003; Sempik et al., 2007; Boaz and Ashby, 2003; Dobrow et al., 2004; Head, 2008; Glasby et al., 2007; Nutley et al., 2007; Boaz et al., 2008: 247; Fafard, 2008; Coote et al., 2004; Wells, 2007). As observed by Sandra Nutley and colleagues, "What counts as evidence" ... involves not just technical objective judgements but also subjective and contextualised assessments'; evidence is a 'privileged' term 'that reflect[s] the perceptions, priorities and power of those who use [it]' (e.g., Nutley et al., 2007: 25). Such a situation generates a number of important questions, including: Who decides what constitutes 'valid' evidence?, and 'should certain types of evidence ... be treated as more legitimate than others?' (Glasby et al., 2007: 325; Lomas et al., 2005). Unsurprisingly, different individuals provide different answers to such questions. That fact has resulted in the categorisation of various types of evidence – scientific (e.g., information produced through randomized control trials and other 'controlled' experiments), experiential, and anecdotal, to name a few⁴ – and has served to further complicate matters.

Additionally, even if, for the sake of argument, one were to presume the presence of an overlapping consensus⁵ on a useful definition of 'evidence', a substantial problem remains: namely, many of the most complex and controversial issues are ones for which there has not yet been the opportunity to produce or collect the volume of evidence often considered necessary to offer meaningful assistance to decision-makers (e.g., Mulgan, 2005; Davies, 2004: 4; Coote et al., 2004: 11; Glasby et al., 2007: 325; Lomas et al., 2005). In the absence of a conclusive consensus regarding the precise character of 'evidence', and/or lacking a sufficient volume of generally accepted evidence, how are policy-makers reasonably to use evidence to help determine the most appropriate response to a policy dilemma?⁶

Various scholars have noted a number of different considerations that desirably or otherwise influence policy-makers' decisions concerning which course of action to pursue. Such influences include organisational

and societal values, fiscal and time constraints, personal experience, political context, and short-term/long-term political strategy, to name a few (e.g., Saunders, 2005: 385; Klein, 2003; Davies et al., 2000; Wright et al., 2007; Nutley et al., 2007; Harries et al., 1999: 32-3; Feldman et al., 2001; Boaz et al., 2008; Shimkhada et al., 2008; Hasman et al., 2008). Though many advocates of EBP lament the involvement of such influences, few would seriously suggest that it could ever be completely prevented. For those who accept the ineliminable presence and 'interference' of such non-evidentiary interlopers, one of the principal questions becomes: To what extent should such considerations be legitimately allowed to undermine the primacy of evidence?⁷ In an important sense, the answer to that question will be significantly influenced by the type of governance regime employed in the polity under examination; and in no type of regime will such considerations have a greater impact than in a democracy. Indeed, arguably, policy-makers in democratic polities have no choice but to incorporate such considerations into their decision-making if they sincerely wish to produce a policy proposal that is both politically and publicly viable. To understand why that is so, it is necessary to review the fundamental principles animating the contemporary practice of democratic government.

DEMOCRACY

The word 'democracy' is a synthesis of the Greek words 'demos', meaning 'the people' or 'the many', and 'kratos', meaning 'rule' or 'power'. For millennia – more than 2500 years, according to Robert Dahl (1998: 2, 3, 7; Crick, 2002: 121) – the idea and practice of democracy have captured the attention of scholars, politicians, activists, and revolutionaries and served as the focus for a lively and often intense debate regarding the specific character of a 'genuinely' democratic polity. Unsurprisingly, then, a number of different conceptions of democracy have emerged, including direct, representative, aggregative, competitive, deliberative, elite, associative, social, egalitarian, and transnational – to name a few – each concerned to varying degrees with issues such as citizenship, minority and group rights, civic engagement, self-determination, nationalism and, most importantly, equality.

Though it is now often taken for granted that a democratic form of government is superior and, subsequently, preferable to all others (e.g., Deneen, 2005; Shapiro, 2005; Sin et al., 2007; Inglehart, 2003; Sen, 1999; Dahl, 1998⁸), such has not always been the case. Indeed, a number of the most renowned students of politics have been less than celebratory in their comments about democracy. For example, both Plato and Aristotle considered democracy an inferior form of government – essentially, rule by the (unqualified and/or

inferior) many in their own interests (e.g., Plato, 1992 [380 BC]: Book VI; Aristotle, 1998 [350 BC]: Bk. IV⁹). Thomas Hobbes believed democracy a problematic form of government insofar as it provides the greatest opportunity for dissension among the 'rulers', which, in turn, leads to political instability and, subsequently, the destruction of the polity (Hobbes, 1968 [1651/1668]: chp. XIX). As was observed by C.B. Macpherson, until the latter half of the nineteenth century, 'pretty nearly all men of intelligence' considered 'democracy, in its original sense of rule by the people or government in accordance with the will of the bulk of the people, ... [to] be a bad thing – fatal to individual freedom and to all the graces of civilized living' (Macpherson, 1965: 1). In terms of the practice of democracy, even if one employs a very general, relatively undemanding definition, it is only in the twentieth century that a democratic form of government was established and maintained in a noteworthy number of countries (e.g., Dahl, 1998: 8, 44; Warren, 2002: 677).¹⁰

The above comments help to demonstrate that widespread support for the idea and practice of democracy is a relatively recent phenomenon (e.g., Dahl, 1998). And, just as there have been differences in terms of the perceived attractiveness of democracy, there are also numerous significant divergences between the various conceptions of democracy that have been articulated across the millennia. Nevertheless, it does not seem unreasonable to suggest that all conceptions embrace certain fundamental principles – at least at the abstract level (though, not all assert that said principles have a beneficial effect). According to Patrick Deneen (2005: 1), 'a belief in universal human suffrage, political equality, economic and personal liberty, and inherent human dignity' are features 'shared ... [by] various schools of democratic thought'. Arguably, the belief in political equality (in some sense) is the foundational element of all conceptions of democracy: It is required both to stimulate and sustain democratic government and, according to the champions of democracy, to realize the full benefits of such a political system (e.g., Dahl, 1998, esp. 37-38, 62-80; Dahl, 2006; Macpherson, 1965: 47).

Typically, democratic political equality manifests itself conceptually in the form of an assertion that every citizen should have an equal right to be involved in shaping the terms of political association under which s/he lives (e.g., Christiano, 2008).¹¹ In other words, every citizen should have an equal right to try to influence the character and content of public policy. Of course, there are a variety of ways in which one could interpret the demands of such a broadly and abstractly stated criterion. For example, it might be suggested that an 'equal right' does not necessarily entail an equal influence; rather, those of greater 'virtue' or possessing superior intelligence should and legitimately can be provided with the means for greater political influence, through multiple votes, for instance (e.g., Mill [1998 (1861)]: 334-341; similarly,

Estlund, 1995: 71).¹² An alternative interpretation offered by those who some have labelled 'egalitarian' democrats asserts that effectively providing an 'equal right' necessitates that all citizens be assured similar 'formal' (that is, legal) and 'substantive' (that is, material) means to capitalise on that right (e.g., Brighouse, 2001; Christiano, 2002).

The demands understood to be associated with political equality are often influenced by the type of democracy being considered. Though the direct form of democracy, in which every citizen directly registers a vote of equal value on all public policy proposals, is considered by many to best capture the democratic 'ideal', the size of most contemporary nations and the complexity of governing them is generally believed to render some model of representative democracy the only viable option (though, not all accept that conclusion). In its most basic sense, representative government denotes a political system in which citizens transfer their authority to govern themselves directly to fellow citizens (that is, representatives) whom they choose/elect to perform that task (e.g., Mill, 1998[1861]: 269).

Robert Dahl has suggested that political equality in contemporary representative democracies requires that 'every citizen ... have an equal and effective opportunity to vote, and all votes must be counted as equal' (Dahl, 1998: 95) – what is often labelled a 'procedural' or 'institutional' account of democracy. According to Dahl, adequately satisfying such criteria requires the presence of the following six political 'institutions': elected officials; free, fair, and frequent elections; freedom of expression; access to alternative (that is, non-governmental) sources of information; associational autonomy; and inclusive citizenship (Dahl, 1998: 85-87; 90-92¹³). Arguably, Dahl's criteria support an understanding of democratic political equality as obtaining 'when every individual potentially affected by a decision has an equal opportunity to affect the decision' in some significant sense (Warren, 2002: 693, 694). If one both accepts as valid the preceding depiction of the character and requirements of contemporary democracy and agrees that EBP is desirable, then it seems logical to seek to determine the degree to which the realization of the latter is compatible with the former. It is to that task that I now direct my attention.

TENSION(S) BETWEEN DEMOCRACY AND EBP

Is it possible to satisfy the demands of EBP and democracy simultaneously? The analysis offered in the preceding paragraphs suggests that any attempt to do so is likely to encounter (at minimum) a few potential challenges. For the purposes of this examination, the focus will be two related difficulties: namely, ensuring political equality and protecting the practice of majority rule. Resolving the tensions between the realization of

EBP and the protection of both political equality and majority-rule decision-making is essential if one is to secure an environment that is equally hospitable to democracy and EBP. Accordingly, it seems appropriate to further investigate the nature of said tensions and consider the likelihood and desirability of their effective resolution.

ENSURING POLITICAL EQUALITY

If political equality is the foundational element of democracy, then, to the extent that any activity conflicts with the realization and preservation of political equality, said activity can legitimately be considered incompatible with democracy. In turn, insofar as EBP promotes or requires the privileging of evidence over other considerations, it also provides to certain individuals a degree of political influence that exceeds that available to all citizens. In particular, under an EBP regime those who are responsible for the production and interpretation of 'evidence' will necessarily be more intimately involved (directly or indirectly) in the shaping of public policy than will others who are unable to engage in such activities. Hence, *prima facie*, the pursuit of EBP could be understood to be incompatible with democracy.

Of course, it might be argued that the validity of such a conclusion is dependent upon how one defines 'evidence'. As already noted, numerous different conceptions of 'evidence' have been proposed, certain of which seem to encompass information beyond that traditionally associated with the term 'evidence' and, in so doing, expand the number of individuals who could reasonably be understood to constitute producers and interpreters of 'evidence'. Hence, one can imagine a broad definition that potentially captures a noteworthy portion of the citizenry. However, even if one employs a relatively general definition of 'evidence', it would be naïve (or, worse, disingenuous) to suggest that all types of evidence will be afforded the same legitimacy or 'weight'. It does not seem unreasonable to believe that, explicitly or otherwise, hierarchies of evidence will continue to exist. In turn, it seems equally plausible to suggest that advocates of EBP will contend that 'research' evidence – 'information produced by scientists, in accordance with accepted research methodologies' (Klein, 2000) – represents the 'gold standard', the preferred foundation for decisions (e.g., Cartwright, 2009: 128-29). Assuming such a scenario obtains (and there seems little persuasive reason to assume otherwise), then, again, there will be a relatively small percentage of the citizenry that possesses a degree of potential 'political' influence that extends notably beyond that available to the remainder of their fellow citizens.

Undoubtedly, there are those who would not consider such a situation to be problematic; indeed, following John Stuart Mill (and numerous others), many may identify it

as the 'rational' and preferred scenario (e.g., Mill, 1998 [1861]: 334-341). In societies that increasingly rely upon sophisticated technology and its correspondent knowledge as the preferred – or necessary – means to address the most pressing public policy dilemmas, the option of deferring to 'expert knowledge' could be considered by many to be a sensible and attractive response. Such a position suggests an important connection between 'knowledge' and 'truth' on the one hand, and 'expertise' and legitimate 'authority' on the other. In so doing, it shares certain affinities with the Platonic argument that there are select individuals who are 'naturally' best suited to exercise political power (Plato [1992 (380 BC)]), and does not deny the assumption prominent in many elitist theories of democracy that the masses are generally poorly informed about, and typically uninterested in, political matters (e.g., Posner, 2003: 130; Estlund, 1995: 71; Christiano, 2006). The end result is, essentially, a belief that 'knowledge justifies power' (Estlund, 1995: 72). In turn, it does not seem unlikely that not all would consider such an understanding to be necessarily problematic from the standpoint of political equality. In particular, insofar as citizens either willingly defer policy decisions to 'experts' or merely forsake any public concern with such decisions,¹⁴ any resulting political inequality could be claimed to be voluntarily accepted and, consequently, unproblematic.

However, for a number of reasons, any systemic, officially legitimised affirmation of such a position is unlikely to be acceptable to all concerned. The ineliminable plurality of frequently competing, conflicting and incommensurable viewpoints present among the citizens of contemporary liberal democracies (e.g., Rawls 2001: 3-4) assures that there will always be a certain noteworthy percentage of citizens that will protest any official attempt to entrench such deference, arguing that it unacceptably belittles the value of their opinions and thereby undermines the 'democratic' equality they experience. Moreover, even if one were to disregard such objections as the griping of unenlightened malcontents, deluded egotists, or fanatics,¹⁵ a substantial related problem remains: namely, effectively operationalizing the privileging of 'expert knowledge' requires first securing a broad public agreement regarding who qualifies as an 'expert'.

If, as a matter of (legitimate) official standard practice, 'experts' are to possess 'privileged' influence in terms of determining the character of public policy, then all who are required to respect the resulting policies (or, at minimum, a 'substantial majority' of the citizenry [e.g., Rawls, 2001: 34; Rawls, 1996: 38]) must agree upon the specific attributes of an 'expert' in order to satisfy the criterion that all citizens freely and willingly support the terms of political association under which they live – arguably, a fundamental element of the contemporary understanding of democratic political equality. Yet, as

already noted, securing any such consensus is extremely unlikely (to be generous) (e.g., Laforest and Orsini, 2005). Additionally, even if one could secure the necessary agreement on a generic definition of 'expert', the concrete application of that definition is likely to generate disputes that would critically undermine the agreement. Moreover, supposing – for the sake of argument – the necessary consensus could be achieved and its continuation were not threatened by the aforementioned problem of application, such a fact is no guarantee that the required number of citizens will faithfully continue to support that understanding of 'expert'. Surely, history demonstrates the typically fluid character of 'prevailing' opinion and suggests that it is too fickle a basis upon which to premise citizens' ongoing support for a particular policy position or determination.¹⁶ As was observed long ago by Machiavelli (1995[1515]: 20), "People are by nature inconstant. It is easy to persuade them of something, but it is difficult to stop them from changing their minds".

Given the unavoidable and ineliminable heterogeneity and fluidity of human opinion, it seems improbable – indeed, implausible – to suggest that all (or even the majority of) 'reasonable' people will voluntarily endorse and reliably affirm any single understanding of 'expert' and its associated demands. In the absence of such perpetual homogeneity, there can be no adequate assurance that the public policies produced by a process that privileges 'expert knowledge' equally respect the opinions of all (reasonable) citizens and thereby effectively embody democratic political equality. In turn, it is the inability to secure such perpetual homogeneity, coupled with the requirement of political equality, which generates the need for majority-rule decision-making procedures.

PROTECTING THE PRACTICE OF MAJORITY RULE

More than 300 years ago John Locke noted that in a voluntary association comprised of a multitude of people with differing views, one must necessarily defer to majority-rule decision-making: 'For if the consent of the majority shall not in reason be received as the act of the whole, and conclude every individual, nothing but the consent of every individual can make anything to be the act of the whole, ... and [given] the variety of opinions and contrariety of interests which unavoidably happen in all collections of men, ... [such consent] is next impossible ever to be had' (Locke 1988[1698]: Bk. II, chp. VIII, sec. 98). Similarly, Thomas Jefferson argued that 'the *lex majoris partis* [that is the law of the majority] is the fundamental law of every society of individuals of equal rights' (quoted in Hampsher-Monk, 1993: 228). For Locke, Jefferson, and others, the idea of 'legitimate government' and the practice of majority-rule decision-making are inextricably connected. Of course, the practice

of majority-rule decision-making need not be accompanied by a democratic form of government. Nevertheless, for many, the two have become intimately intertwined – indeed, inseparable;¹⁷ arguably, such an understanding best reflects that embraced by the preponderance of citizens of contemporary liberal democracies (e.g., Sin et al., 2007; Inglehart, 2003).

The most obvious challenge to employing majority-rule decision-making is that of effectively protecting against the emergence of a 'tyranny of the majority', a problem most famously identified by Alexis de Tocqueville in his magisterial *De la démocratie en Amérique* (Democracy in America [1835/1840]). Tocqueville concluded that the danger of a democratic tyranny of the majority is greatest with respect to the emergence and actions of legislative majorities (e.g., De Tocqueville 1988[1835]: 145, 158). John Stuart Mill, an eloquent and passionate defender of representative democracy, was also immensely concerned with the possible emergence of such tyranny. However, arguably, for Mill, the greatest danger was society, which he noted can practice 'a social tyranny more formidable than many kinds of political oppression, since ... it leaves fewer means of escape, penetrating much more deeply into the details of life, and enslaving the soul itself' (Mill, 1998[1869]: 8-9). Jefferson (among others) also recognised the problem, and cautioned that in order for the will of the majority 'to be rightful, [it] must be reasonable; ... the minority [must] possess their equal rights, which laws must protect and to violate which would be oppression' (quoted in Hampsher-Monk, 1993: 228).

Typically, attempts to prevent the emergence of a tyranny of the majority have taken the form of various legislative and institutional 'checks and balances', such as the legal entrenchment of a written constitution (ideally including or accompanied by a bill of rights), a separation of governmental powers (e.g., an independent executive, legislature, and judiciary), an 'open and free' competitive electoral system complemented by regular elections, etc. The concern with protecting 'minority rights' continues to occupy a very prominent place in most contemporary understandings of democracy and, throughout the course of recent decades, has motivated increasingly sensitive legislative efforts to effect such protection (e.g., Sin et al., 2007).¹⁸

Unsurprisingly, the 'tyranny of the majority' problem poses a significant danger to the realization of EBP in an environment of majority-rule decision-making. Legislative and/or societal majorities could decide that evidence should play little or no role in the development of public policy.¹⁹ Indeed, democratic majority-rule decision-making could easily produce policy direction that runs contrary to the conclusions of the 'best available evidence'. Of course, safeguards against such a development could be established. For example, the requirement that policy decisions reflect the conclusions of the best available evidence could be legislatively

mandated. However, given what has already been noted about the ineliminable plurality of competing and conflicting opinion and the subsequent problems of definition, such a proposal would likely prove extremely contentious and its implementation immensely problematic. Moreover, if (as has been suggested) the foremost concern is political equality, then requiring the use of evidence is legitimate only insofar as one can demonstrate that its use is essential to the realization and preservation of such equality – an extraordinarily difficult (if not impossible) task.

Does the use of majority-rule decision-making thus render the pursuit and realization of EBP a continual ‘crap shoot’, always subject to the vagaries of public opinion and political whim? To a significant degree, ‘yes’. However, it warrants reiterating that pragmatic politicians (that is, policy-makers) are always concerned with being re-elected and gaining or retaining political power, and the public policy development environment in contemporary industrialised democracies is such that policy-makers disregard at their peril the insights provided by ‘evidence’. Whether attention to evidence is motivated by technical or political necessity, it does not seem unreasonable to suggest that few policy-makers in contemporary industrialised democracies will completely forego any consideration of evidence while developing public policy. Nevertheless, there can be no denying that the use of majority-rule decision-making can easily generate significant obstacles to the realization of EBP.

CONCLUDING REMARKS

The preceding examination suggests not only that there are noteworthy tensions between the contemporary practice of democracy and efforts to realize EBP, but also that it is effectively impossible to eliminate those tensions completely. Of course, neither of those conclusions is particularly earth-shattering. However, the purpose of noting them is not some misguided belief that they constitute important new discoveries, but rather to help stimulate thinking about whether the identified tensions can and/or should be resolved.

As described herein, protecting both political equality and majority-rule decision-making produces potentially significant obstacles to the realization of EBP. However, that fact need not necessarily be lamented, as is often the explicit or implicit position of proponents of EBP. Knowingly or otherwise, the extent to which one bemoans the inability of democracies to provide for the realization of EBP reflects a fundamental decision regarding the relative importance of protecting democratic practices. Though there might be much to be gained by ensuring that all public policy is evidence-based, adopting such a requirement also entails costs. As was well articulated by Mill (among others), individuals – and by extension, society and humanity in general – benefit from being allowed (and, indeed, forced) to make decisions, especially about

those matters that are of the greatest significance to them; and said benefits accrue even when the decisions made prove to be ‘incorrect’ (Mill, 1998[1869], esp. 104-128; Christiano, 2006). A strict requirement that all public policy be evidence-based would seem to reduce significantly the opportunity to realize fully the type of individual and societal benefits Mill associates with decision-making.

None of the above is meant to suggest either that EBP is not a worthy goal or that it is impossible for evidence to secure primary consideration in the policy development process in contemporary liberal democracies. The argument presented in the preceding paragraphs proposes only that the legitimacy of any ‘official’ attempt to privilege ‘evidence’ and, in turn, ‘expert knowledge’, is conditional upon such an approach being regularly (re)approved by a ‘substantial majority’ of (reasonable) citizens. The principal purpose of the foregoing commentary is to suggest that the frequent inclination to lament (or curse) the interference of non-evidentiary concerns warrants reconsideration. One might conclude that the ‘democratic’ costs of realizing EBP are a price worth paying. All that is herein being requested is that the democratic consequences of that conclusion be more fully acknowledged.

REFERENCES

- Abelson J, Gauvin FP (2006). ‘Assessing the impacts of public participation: concepts, evidence and policy implications’. CHEPA Working Paper 08-01, Hamilton: Centre for Health Economics and Policy Analysis, McMaster University.
- Archard D, Macleod C (eds) (2002). *The moral and political status of children: new essays*. Oxford: Oxford University Press.
- Aristotle (1998[350 BC]) *Politics*, C.D.C. Reeve (trans and intro). Indianapolis: Hackett Publishing.
- Aristotle (2000[350 BC]) *Nicomachean ethics*, 2nd edn, T. Irwin (trans and intro). Indianapolis: Hackett Publishing.
- Banks G (2009). *Challenges of evidence-based policy-making*. Canberra: Commonwealth of Australia.
- Black N (2001) ‘Evidence-based policy: proceed with care’. *Br. Med. J.*, 323 (7307): 275-279.
- Blunkett D (2000). ‘Influence or irrelevance: can social science improve government?’ *Res. Intell.*, 71:12-21.
- Boaz A, Ashby D (2003) ‘Fit for purpose? Assessing research quality for evidence based policy and practice’. Working Paper 11, London: ESRC UK Centre for Evidence Based Policy and Practice, Queen Mary, University of London.
- Boaz A, Grayson L, Levitt R, Solesbury W (2008). ‘Does evidence-based policy work? Learning from the UK experience’. *Evid. Policy*, 4 (2): 233-253.
- Brighouse H (2001) ‘Democracy and inequality’, in A. Carter and G. Stokes (eds), *Democratic theory today*. Cambridge: Polity Press.
- Campbell S, Benita S, Coates E, Davies P, Penn G (2007) *Analysis for policy: evidence-based policy in practice*. London: Government Social Research Unit, http://www.gsr.gov.uk/downloads/resources/pu256_160407.pdf.
- Cartwright N (2009). ‘Evidence-based policy: what’s to be done about relevance?’, *Philos. Stud.*, 143 (1): 127-36.
- Chalmers I (2005) ‘If evidence-informed policy works in practice, does it matter if it doesn’t work in theory?’, *Evid. Policy*, 1(2): 227-242.
- Christiano T (2002). ‘Democracy as equality’, in D. Estlund (ed), *Democracy*. Oxford: Blackwell Publishers, pp. 31-50.
- Christiano T (2006) ‘Democracy’. *Stanford Encyclopedia of Philosophy*, at <http://plato.stanford.edu/entries/democracy/>.

- Christiano T (2008). *The constitution of equality*. Oxford: Oxford University Press.
- Clarence E (2002). 'Technocracy reinvented: the new evidence based policy movement'. *Public Policy Administr.*, 17(1): 1-11.
- Clements D (2004). *What counts? Interpreting evidence-based decision-making for management and policy*. Ottawa: Canadian Health Services Research Foundation.
- Coote A, Allen J, Woodhead D (2004) *Finding out what works: Building knowledge about complex, community-based initiatives*. London: King's Fund.
- Crick B (2002). *Democracy: a very short introduction*. Oxford: Oxford University Press.
- Dahl R (1998). *On democracy*. New Haven: Yale University Press. Dahl R (2006). *On political equality*. New Haven: Yale University Press.
- Davies H, Nutley S, Smith P (eds) (2000) *What works? Evidence-based policy and practice in public services*. Bristol: The Policy Press.
- Davies, P (1999). 'What is evidence-based education?' *Br. J. Educ. Stud.*, 47(2): 108-21.
- Davies P (2004). 'Is evidence-based government possible?' The 2004 Jerry Lee Lecture, presented at the 4th Annual Campbell Collaboration Colloquium, Washington D.C. 19 February 2004.
- De Tocqueville A (1988[1835/1840]). *Democracy in America*, T. Bender (intro). New York: Random House/Modern Library.
- Deneen P (2005). *Democratic faith*. Princeton: Princeton University Press.
- Dobrow M, Goel V, Upshur R (2004). 'Evidence-based health policy: context and utilisation'. *Soc. Sci. Med.*, 58(1): 207-217.
- Donaldson S (2009). 'In search of the blueprint for an evidence-based global society', in S. Donaldson, C. Christie, and M. Mark (eds), *What counts as credible evidence in applied research and evaluation practice?*
- Estlund D (1995) 'Making truth safe for democracy', in D. Copp, J. Hampton, and J. Roemer (eds), *The idea of democracy*. New York: Cambridge University Press.
- Evans M (2007). 'The art of prescription: theory and practice in public administration research', *Public Policy and Admin.*, 22(1): 128-152.
- Fafard P (2008) 'Evidence and healthy public policy: Insights from health and political sciences'. Ottawa: National Collaborating Centre for Healthy Public Policy.
- Feldman P, Nadash P, Gursen M (2001). 'Improving communication between researchers and policy makers in long-term care: or, researchers are from Mars; policy makers are from Venus', *The Gerontologist*, 41(3): 312-321.
- Glasby J, Walshe K, Harvey G (2007). 'What counts as "evidence" in "evidence-based practice"?' *Evid. Policy*, 3 (3): 325-327.
- Hampsher-Monk I (1993) *A history of modern political thought: Major political thinkers from Hobbes to Marx*. Oxford: Blackwell.
- Harries U, Elliott H, Higgins A (1999) 'Evidence-based policy-making in the NHS: exploring the interface between research and the commissioning process'. *J. Public Health Med.*, 21(1): 29-36.
- Hasman A, Mcintosh E, Hope T (2008) 'What reasons do those with practical experience use in deciding on priorities for healthcare resources? A qualitative study'. *J. Med. Ethics*, 34(9): 658-663.
- Head B (2008) 'Three lenses of evidence-based policy'. *Australian J. Public Admin.*, 67(1): 1-11.
- Hobbes T (1968[1651/1668]) *Leviathan*, C. B. Macpherson (ed and intro). London: Penguin Books.
- Howlett M (2009) 'Policy analytical capacity and evidence-based policy-making: lessons from Canada'. *Canadian Public Admin.*, 52 (2): 153-175.
- Inglehart R (2003) 'How solid is mass support for democracy – and how can we measure it?'. *PS: Political Sci. Polit.*, 36(1): 51-57.
- Inter-Parliamentary Union (1997) *Universal declaration on democracy*, at <http://www.ipu.org/cnl-e/161-dem.htm>
- Klein R (2000) 'From evidence-based medicine to evidence-based policy?'. *J. Health Serv. Res. Policy*, 5(2): 65-66.
- Klein R (2003) 'Evidence and policy: interpreting the Delphic oracle'. *J. Royal Soc. Med.*, 96(9):429-431.
- Laforest R, Orsini M (2005) 'Evidence-based engagement in the voluntary sector: lessons from Canada'. *Soc. Policy Admin.*, 39 (5): 481-497.
- Lasswell HD (1951) 'The policy orientation', in D. Lerner and H. D, Lasswell (eds), *The policy sciences*. Palo Alto: Stanford University Press.
- Lasswell HD (1971). *A pre-view of policy sciences*. New York: American Elsevier.
- Locke J (1988[1698]). *Two treatises on government*, W. S. Carpenter (intro). London: J.M. Dent and Sons Ltd.
- Lomas J, Culyer T, McCutcheon C, McAuley L, Law S (2005) *Conceptualizing and combining evidence for health system guidance*. Ottawa: Canadian Health Services Research Foundation.
- Machiavelli N (1995[1515]). *The prince*, D. Wootton (ed and trans). Indianapolis: Hackett Publishing.
- Macpherson CB. (1965). *The real world of democracy*. Toronto: Canadian Broadcasting Corporation.
- Marston G, Watts R (2003) 'Tampering with the evidence: a critical appraisal of evidence-based policy-making', *The Drawing Board: An Australian Rev. Public Affairs*, 3(3):143-63.
- Martens P, Roos N (2005). 'When health services researchers and policy makers interact: tales from the tectonic plates', *Healthcare Policy*, 1(1): 72-84.
- Mill JS (1998[1861]). *Considerations on representative government in On liberty and other essays*, J. Gray (ed and intro). Oxford: Oxford University Press.
- Mill JS (1998[1869]). *On liberty in On liberty and other essays*, J. Gray (ed and intro). Oxford: Oxford University Press.
- Mulgan G (2005). 'Government, knowledge and the business of policy making: the potential and limits of evidence-based policy'. *Evid. Policy*, 1(2): 215-226.
- Neylan J (2008). 'Social policy and the authority of evidence', *Australian J. Public Admin.*, 67(1): 12-19.
- Nutley S (2003). 'Bridging the policy/research divide: reflections and lessons from the UK'. Keynote paper presented at the 'Facing the future: engaging stakeholders and citizens in developing public policy'. National Institute of Governance conference, Canberra, Australia, 23-24 April 2003.
- Nutley S, Walter I, Davies HTO (2003). 'From knowing to doing: A framework for understanding the evidence-into-practice agenda'. *Evaluation*, 9(2): 125-148.
- Nutley S, Walter I, Davies H (2007). *Using evidence: how research can inform public services*. Bristol: The Policy Press.
- Parsons W (2001). 'Modernising policy-making for the twenty first century: the professional model'. *Public Policy Admin.*, 16 (3): 93-110.
- Parsons W (2002). 'From muddling through to muddling up: evidence based policy-making and the modernisation of British government', *Public Policy Admin.*, 17 (3): 43-60.
- Pawson R (2006). *Evidence-based policy: A realist perspective*. London: Sage Publications.
- Pielke R (2007). *The honest broker: making sense of science in policy and politics*. New York: Cambridge University Press.
- Piven F, Cloward R (2000). *Why Americans still don't vote and why politicians want it that way*. Boston: Beacon Press.
- Plato (1992[380 BC]). *The republic*, 2nd edn, G. M. A. Grube (trans), revised by C. D. C. Reeve. Indianapolis: Hackett Publishing Company.
- Posner R (2003). *Law, pragmatism, and democracy*. Cambridge: Harvard University Press.
- Rawls J (1996). *Political liberalism*, paperback edition. New York: Columbia University Press.
- Rawls J (2001). *Justice as fairness: A restatement*, E. Kelly (ed). Cambridge, MA: Belknap Press.
- Sackett D, Rosenberg W, Grover F, Haynes R, Richardson W (1996) 'Evidence-based medicine: what it is and what it isn't', *Br. Med. J.*, 312(7023): 71-72.
- Sanderson I (2006). 'Complexity, "practical rationality" and evidence-based policy making'. *Policy Polit.*, 34(1): 115-32.
- Sempik J, Becker S, Bryman A (2007) 'The quality of research evidence in social policy: consensus and dissension among researchers', *Evid. Policy*, 3(3): 407-23.
- Sen A (1999). 'Democracy as a universal value'. *J. Democracy*, 10(3): 3-17.
- Shapiro I (2005). *The state of democratic theory*. Princeton: Princeton University Press.

Shimkhada R, Peabody J, Quimbo S, Solon O (2008). 'The Quality Improvement Demonstration Study: an example of evidence-based policy-making in practice', *Health Res. Policy Syst.*, 6: 5, at <http://health-policy-systems.com/content/6/1/5>.

Sin D, Dalton R, Jou W (2007). 'Popular conceptions of the meaning of democracy: democratic understanding in unlikely places'. Paper presented at the 65th annual national conference of the Midwest Political Science Association, Chicago, Illinois, USA, 12-15 April 2007.

Spinoza B (2001[1670]) *Theological-political treatise*, S. Shirley (trans), 2nd edn. Indianapolis: Hackett Publishing.

Spragens T (2008). 'Democratic reasonableness', in S. Young (ed), *Reasonableness in liberal political philosophy*. London and New York: Routledge.

Tilley N, Laycock G (2000) 'Joining up research, policy and practice about crime'. *Policy Stud.*, 21(3): 213-27.

Walshe K, Rundall T (2001). 'Evidence-based management: From theory to practice in health care'. *Milbank Q.*, 79 (3): 429-457.

Warren M (2002) 'What can democratic participation mean today?', *Polit. Theory*, 30 (5): 677-701.

Wells P (2007) 'New Labour and evidence based policy making: 1997-2007', *People, Place and Policy*, 1(1): 22-29.

Widmer T (2009). 'The contribution of evidence-based policy to the output-oriented legitimacy of the state'. *Evid. Policy*, 5(4): 351-372.

Wright J, Parry J, Mathers J (2007). 'What to do about political context?' *Evidence synthesis, the New Deal for Communities and the possibilities for evidence-based policy*. *Evid. Policy*, 3(2): 253-269.

Endnotes

¹ That is not to suggest that the relationship between the project of EBP and the practice of democracy has not previously been explored in any meaningful sense. For example, Parsons, 2001; Pielke, 2007 (esp. pp. 8-21).

² I have suggested that 'policy-makers' and 'elected politicians' are synonymous because, though there are certainly non-politicians involved in the development of public policy, in a democracy it is the elected members of government who possess the ultimate decision-making authority with respect to matters of public policy – that is, only they can legally establish public policy (which is not to deny that sovereignty resides with 'the people').

³ The adjective 'genuinely' has been included in order to acknowledge that there have existed many self-proclaimed 'democracies' in which the 'elected' politicians have not had any cause to be more fearful of public reaction to 'questionable' government initiatives than their counterparts in undemocratic regimes. Bernard Crick has suggested that '[n]o political concept is more used, and misused, than that of democracy' (Crick 2002; similarly, see Dahl 1998: 37, 100; Christiano 2008; and Posner 2003: 130). For a useful (brief) commentary on the (mis)application of the label 'democratic', see Warren 2002 (pp. 677-78).

⁴ Alternatively, Rudolph Klein (2000) proposes a taxonomy comprised of research evidence, organisational evidence, and political evidence.

⁵ Simply put, an overlapping consensus is a voluntary and stable agreement among the adherents of the various belief systems that are likely to survive in a just modern constitutional democracy (Rawls 1996: 15; see also Rawls 2001: 32). An overlapping consensus on a definition of 'evidence' means that, despite the inevitable presence of a plurality of often conflicting and irreconcilable worldviews, a substantial majority of citizens are able to agree on a single definition to be used when developing public policy.

⁶ That is not to suggest that such difficulties are completely absent within the realm of EBM; indeed, the lack of a sufficient volume of relevant/useful evidence is a potential challenge that is universal in its scope. However, to the extent that proponents of EBM disagree about the character of 'evidence', those disagreements typically concern assessments of the quality of evidence, as opposed to what constitutes evidence (e.g., Laforest and Orsinin 2005: 481; Walshe and Rundall 2001).

⁷ Though the idea that evidence should be the sole determinant of policy direction may no longer command the support it once did – as is evident by the appearance and increasingly widespread use of terms such as evidence-informed and evidence-aware policy – I believe it continues to be true that many remain committed to the idea that evidence should always be the primary consideration.

⁸ The Universal Declaration on Democracy identifies democracy as 'a universally recognised ideal as well as a goal, which is based on common values shared by peoples throughout the world community irrespective of cultural, political, social and economic differences' (Inter-Parliamentary Union 1997).

⁹ Admittedly, this rendering of the principal criticism offered by Plato and Aristotle is very simplistic and, consequently, fails to note important differences between the arguments of the two. Furthermore, though Aristotle did not consider it to be the ideal form government, there is debate regarding the degree to which he was critical of democracy. According to Crick (2002: 1), for example, Aristotle believed democracy to be 'a necessary condition for good government, ... [but] far from a sufficient condition'.

¹⁰ As Mark Warren (2002: 677) has noted, 'If ... we define democracies as "political systems whose leaders are

elected in competitive multi-party and multi-candidate processes in which opposition parties have a legitimate chance of attaining power or participating in power", and that have a universal franchise, there were no democracies in 1900. Only 22 of the 154 countries existing in 1950 were democracies, encompassing 31 percent of the world's population' (emphases in original).

¹¹ Of course, there are many 'citizens' of contemporary democracies who are ineligible to vote in state elections because they have not yet reached the necessary 'age of license'. However, that does not mean that it is considered acceptable or morally legitimate to disregard the concerns of such citizens. Indeed, there is an increasing volume of scholarship that examines the issue of the rights of minors/children. See, for example, Archard and Macleod 2002.

¹² In its effect, such a proposal reflects Aristotle's argument that only 'equals' should be treated equally (e.g., Aristotle, 2000[350 BC]: Bk. V, 1131a-1133b).

¹³ Dahl assigns the label 'polyarchal' democracy to those political systems that embody all six political institutions (Dahl 1998: 85-87; see also 90-92).

¹⁴ Arguably, the empirical evidence concerning voter turnout could be interpreted to suggest that there are likely many individuals who, for one reason or another, do not voluntarily concern themselves publicly with policy decisions (e.g., Piven and Cloward 2000) – though, a failure to vote does not necessarily indicate an absence of concern.

¹⁵ John Rawls (among others) has suggested that it is not necessary to secure the support of 'unreasonable' people (e.g., Rawls, 1996: xix, 64n19), such as those who 'reject the essentials of a democratic regime' (Rawls, 1996: xviii).

¹⁶ I would suggest that, to a lesser but still problematic degree, 'expert' opinion is similarly flawed.

¹⁷ According to one of the most famous commentators on democracy, 'The very essence of democratic government consists in the absolute sovereignty of the majority' (De Tocqueville, 1988[1835]: 145).

¹⁸ Of course, certain recent legislative developments (e.g., the Patriot Act in the United States, the Anti-Terrorism Act in Canada, the Anti-Terrorism, Crime and Security Act in the United Kingdom) might cause some to question the validity of such a claim.

¹⁹ Though the opposite could also occur, the noted problem of dissensus regarding what constitutes valid/useful evidence would seem to render such a development unlikely and, at most, temporary.