VALUES AND ETHICS IN PUBLIC POLICY
PubPol 580
Fall 2023

Class Meetings: MW 8:30-9:50   **Class Location**: 1230 Weill Hall

Instructor: Joy Rohde (she/her/hers)   GSI: Ruth Archer
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via Zoom. Sign up for in-person and zoom via
Canvas calendar link

COURSE DESCRIPTION
We often think of policy analysis as a technical field in which we apply analytical tools to determine the most effective and efficient way to achieve policy goals. However, every time we enter the policy arena we confront normative questions with no agreed-upon answers: What is the public good? How do we know? What should our policy goals be and how do we determine them? How do we make decisions when normative commitments and goals are themselves in conflict?

This course is based on the conviction that understanding the moral and ethical dimensions of politics and public policy is necessary to effective policy analysis and a crucial foundation for any policy career. This course will familiarize you with a set of concepts and tools for reasoning, arguing, and writing about the normative issues that confront people working in politics and public policy. Our approach will combine theoretical interrogation of applied ethics with a case-based approach to theoretical applications. We will connect concepts from political philosophy and applied ethics—including utility, liberty, justice, and rights—to unpack and assess real-world challenges that face policy analysts and policymakers. Our examination will span topics from a variety of policy arenas. This section of 580 focuses primarily on U.S. domestic policy.

Students who take this course will:
- Gain an understanding of key concepts in applied ethics, including the ethics of professional practice
- Develop and demonstrate the ability to think in a sophisticated, reflective, and reflexive manner about the values and goals of public policies in a variety of arenas
- Develop the ability to identify the values implicit in policies, articulate their own values, and engage the values of others
- Develop and demonstrate the ability to communicate concisely and persuasively, both orally and in writing, about the moral and ethical dimensions of politics and public policy
- Develop the ability to integrate ethical considerations into policy analysis and decision-making

COURSE REQUIREMENTS
1. Class preparation, attendance, and participation (15%). This course is discussion-based. It demands that we each engage with complicated, controversial, and sensitive issues. We will devote most of class time to discussion. Active engagement with the reading material and thoughtful participation in discussions are crucial to the success of the course as well as to your own success in it**. I expect you to**

come to class having done the reading and ready to talk to and learn from each other. Contributions to class should reveal your familiarity with the assigned readings, your willingness to analyze the issues and problems we are discussing, and your ability to integrate and constructively engage the comments of your classmates. **Quality and sincerity of engagement, not quantity of contributions, matters**. Your participation grade will be based on the following:

    a. Evidence of preparation—i.e. evidence that you have completed and reflected upon the readings prior to class;

    b. Evidence of substantive engagement with the course material in the classroom through regular, informed contributions to discussion (small-group and/or large-group) and in-class exercises, as well as attentive and respectful listening and responding to peers. Any formal debates and other structured in-class exercises are included in this part of your grade.

I recognize that some people find it difficult to speak in larger classes. This is a skill you should work on because public speaking is important in many policy contexts. But you may also demonstrate your engagement through: attending office hours to discuss issues raised in the course; extra posts on the Canvas discussion board relevant to course issues and materials, including your reflections on the readings; and sending to Joy and Ramsay news stories, articles, or other resources about relevant issues (i.e., encounters with "ethics in the wild!") with brief but clearly articulated connections to our course content.

2. Discussion Questions (15%). To assist you in fulfilling (1), you will be responsible for posting **two** discussion questions to Canvas on **eight of the nine** dates noted on the syllabus. **You have one free pass, starting Oct. 1.** Questions will be graded on a 1 (minus), 2 (check), 3 (plus) basis, with the expectation that most posts receive a 2. (A 1 indicates that you did not demonstrate that you completed the readings.) **Posts are due at 8:30 pm on the evening before the date listed on the syllabus and, unless otherwise indicated, should cover the readings for that date.** I will draw on them to frame discussion.

These questions should model good intellectual practice; that is, not just a one-sentence question, but a few sentences providing some important framing or context. This could include, for example, an explanation of why the question is important (the stakes), an elaboration on the nuances of the question, etc. Reference to specific language in the text(s) is encouraged and quotes are welcome. For material on the syllabus, you can just cite author and page; for materials beyond the syllabus, please include a full reference. Be sure to reflect on more than one reading for the day; i.e., demonstrate that you've read all of the assigned material.

Questions should represent two specific types according to the following classification (**identify the types in your post**):

    1. Clarification/Comprehension (e.g., What does X mean?)
    2. Analytical/Interpretive (e.g., How does X evidence relate to Y point?)
    3. Synthetic/Evaluative (e.g., Are you convinced by the author's argument that X)
    4. Connective/Comparative (e.g. How does X's argument compare to Y's we read last week?)
    5. Provocative/Argumentative (e.g., Doesn't evidence X undermine author's point Y?!)
    6. Applied/Extended (e.g. What light does X point shed upon current problem Y?) If you choose this question, be sure to indicate *why* or *how* the comparison is relevant. I.e., don't use this as a mindless invitation to extend an analysis across policy problems.

3. Case Presentation (15%). You will present a case in class along with two to three of your classmates. Your case should unpack the ethical questions raised by the topic for the day, offer a new twist on those

questions, and/or examine the ethical questions under consideration in a different context (i.e., a different national, regional, or policy context). You will have forty minutes of class time for this exercise, and the instructor will send you guidance in advance of class on your particular topic and work with you as you develop your case.

4. Writing Assignments (55%).
      Assignment 1: Memo or Op-Ed (15%), 750 words.
      Assignment 2: Memo or Op-Ed (20%), 1000 words.
      Assignment 3: Memo, Op-Ed, or reflection (20%), 1200 words max.

COURSE POLICIES
1. Attendance: Because this course depends heavily on participation, I expect you to make every effort to attend all sessions. However, for your own health and that of the rest of the class, please stay home if you are ill or quarantining. **Please notify the GSI in advance** (or if advance warning isn't possible, as soon as you are able) if you will miss class; excused absences can be granted for things like illness, religious observances, as well as family and work emergencies. Unexplained absences will negatively affect your grade, as will repeated tardiness.
2. Classroom policies: Out of respect to the instructor and your fellow students, **put your cell phone away for the duration of class.** Please refrain from going in and out of the room during class unless absolutely necessary as it is distracting to the instructor and other students.
3. Late assignments: Extensions typically require arrangements with the instructor **well in advance** of the due date. **Late assignments will lose one full grade for each day, or fraction thereof, that they are late.**
4. Electronic devices: **Typically, laptops and other devices are NOT allowed in class.** While I recognize that this may cause consternation, such technologies negatively impact the character and quality of class discussion. Because discussion is so important to the intellectual task we face, the costs of laptops outweigh the benefits. **I do not expect you to print out the readings, but I encourage you to take a few notes to refer to in class.**
5. **Generative AI and Academic Integrity**: Writing is a form of thinking, and as such, is foundational to your learning in this course. Writing assignments do not simply assess your content knowledge; more importantly, they are intended to help you think through complex problems, better understand challenging concepts and policy trade-offs, and improve your ability to make clear, robust, and persuasive arguments. Generative AI technology like ChatGPT and UM-GPT can undermine these objectives. Writing should be the process of working out what *you* really think, not what a large language model determines is a plausible perspective. **For the purposes of this class, I ask all students to pledge that they will not use these technologies.**
6. Syllabus: Because many topics we cover are subjects of ongoing discussion, I may make occasional changes to the course readings over the semester. I will always notify you in advance of any changes.
7. Communications: Please use traditional email, not the Canvas messaging feature, to communicate with us.
8. Flexibility and empathy: We are each dealing with all of the physical, mental, emotional, familial, etc. stresses the past few years have posed. We are committed to understanding and flexibility. Should you have concerns about attendance, participation, assignments, etc., please reach out to one of us.

FORD SCHOOL AND UM POLICIES

Ford School Inclusivity Statement: Members of the Ford School community represent a rich variety of backgrounds and perspectives. We are committed to providing an atmosphere for learning that respects diversity. While working together to build this community we ask all members to:

- share their unique experiences, values and beliefs
- be open to the views of others
- honor the uniqueness of their colleagues
- appreciate the opportunity that we have to learn from each other in this community
- value one another's opinions and communicate in a respectful manner
- keep confidential discussions that the community has of a personal (or professional) nature
- use this opportunity together to discuss ways in which we can create an inclusive environment in Ford classes and across the UM community

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Ford School Public Health Protection Policy: In order to participate in any in-person aspects of this course--including meeting with other students to study or work on a team project--you must follow all the public health safety measures and policies put in place by the State of Michigan, Washtenaw County, the University of Michigan, and the Ford School. Up to date information on U-M policies can be found here. It is expected that you will protect and enhance the health of everyone in the Ford School community by staying home and following self-isolation guidelines if you are experiencing any symptoms of COVID-19

Student Mental Health and Wellbeing: The University of Michigan is committed to advancing the mental health and wellbeing of its students. We acknowledge that a variety of issues, both those relating to the pandemic and other issues such as strained relationships, increased anxiety, alcohol/drug problems, and depression, can directly impact students' academic performance and overall wellbeing. If you or someone you know is feeling overwhelmed, depressed, and/or in need of support, services are available.

You may access the Ford School's embedded counselor Paige Ziegler (contact information TBD) and/or counselors and urgent services at Counseling and Psychological Services (CAPS) and/or University Health Service (UHS). Students may also use the Crisis Text Line (text '4UMICH' to 741741) to be connected to a trained crisis volunteer. You can find additional resources both on and off campus through the University Health Service and through CAPS.

Accommodations for Students with Disabilities: The University of Michigan recognizes disability as an integral part of diversity and is committed to creating an inclusive and equitable educational environment for students with disabilities. Students who are experiencing a disability-related barrier should contact Services for Students with Disabilities https://ssd.umich.edu/; 734-763-3000 or ssdoffice@umich.edu). For students who are connected with SSD, accommodation requests can be made in Accommodate. If you have any questions or concerns please contact your SSD Coordinator or visit SSD's Current Student webpage. SSD considers aspects of the course design, course learning objects and the individual academic and course barriers experienced by the student. Further conversation with SSD, instructors, and the student may be warranted to ensure an accessible course experience.

Academic Integrity: The Ford School academic community, like all communities, functions best when its members treat one another with honesty, fairness, respect, and trust. We hold all members of our community to high standards of scholarship and integrity. To accomplish its mission of providing an optimal educational environment and developing leaders of society, the Ford School promotes the

assumption of personal responsibility and integrity and prohibits all forms of academic dishonesty, plagiarism and misconduct. Academic dishonesty may be understood as any action or attempted action that may result in creating an unfair academic advantage for oneself or an unfair academic advantage or disadvantage for any other member or members of the academic community. Plagiarism involves representing the words, ideas, or work of others as one's own in writing or presentations, and failing to give full and proper credit to the original source. Conduct, without regard to motive, that violates the academic integrity and ethical standards will result in serious consequences and disciplinary action. The Ford School's policy of academic integrity can be found in the MPP, BA, and PhD Program handbooks. Additional information regarding academic dishonesty, plagiarism and misconduct and their consequences is available here.

Use of Technology: Students should follow instructions from their instructor as to acceptable use of technology in the classroom, including laptops, in each course. All course materials (including slides, assignments, handouts, pre-recorded lectures or recordings of class) are to be considered confidential material and are not to be shared in full or part with anyone outside of the course participants. Likewise, your own personal recording (audio or video) of your classes or office hour sessions is allowed only with the express written permission of your instructor. If you wish to post course materials or photographs/videos of classmates or your instructor to third-party sites (e.g. social media), you must first have informed consent. **Without explicit permission from the instructor and in some cases your classmates, the public distribution or posting of any photos, audio/video recordings or pre-recordings from class, discussion section or office hours, even if you have permission to record, is not allowed and could be considered academic misconduct.**

Please review additional information and policies regarding academic expectations and resources at the Ford School of Public Policy.

COURSE SCHEDULE
All course readings are available on Canvas→Modules.

I. CONCEPTUAL FOUNDATIONS AND THEIR APPLICATIONS

Aug. 28: Introduction and Course Overview

Aug. 30: Why Should We Care about Ethics? How Do We Think about Ethics?
Eileen Sullivan and Mary Segers, "Ethical Issues and Public Policy," in *Handbook of Public Policy Analysis: Theory, Politics, and Methods*, ed. Frank Fischer, Gerald R. Miller, and Mara S. Sidney (2006), 310-24.
David Rutledge, "Racist attitudes 'whitewashed' modern philosophy. What can be done to change it?" ABC Radio National [Australia], 12 Jan 2020.

Sept. 4: Labor Day

Sept. 6: Utilitarianism and Deontology
Michael Sandel, *Justice: What's the Right Thing to Do?* (2009), Chapter 2 (31-55), Chapter 5 selections (103-108, 119-24 required; 108-19 and 124-29 optional).
Optional (highly recommended!): Ursula K. Le Guin, "The Ones Who Walk Away from Omelas" (1973), 5 pp.

Sept. 11: Applications: Health Care *Discussion Questions*

Peter Singer, "Why we must ration health care," *New York Times*, July 15, 2009.

John Harris, "QALYfying the value of life," and Alan Williams, "Response," *Journal of Medical Ethics* 13 (1987), 117-23.

Optional: Munira Z. Gunja, Evan D. Gumas, and Reginald D. Williams II, "U.S. Health Care from a Global Perspective, 2022: Accelerating Spending, Worsening Outcomes," *Commonwealth Fund* Jan. 31, 2023. https://www.commonwealthfund.org/publications/issue-briefs/2023/jan/us-health-care-global-perspective-2022

Sept. 13: Liberty

Optional easy introduction to Mill: Constitutional Rights Foundation, "John Stuart Mill and Individual Liberty," Constitutional Rights Foundation, excerpt (2 pp.)

John Stuart Mill, *On Liberty* [orig. 1859], 9-13, 73-75, 78-82.

Aris Folley, "HUD Implements Nationwide Smoking Ban in Public Housing," *The Hill*, July 31, 2018.

National Housing Law Project, "Summary of HUD's Smoke-Free Rule."

Read at least two of the following:

- Benjamin Barsky, "The Potential Consequences of the Smoke-Free Public Housing Rule," *Regulatory Review*, June 12, 2019, https://www.theregreview.org/2019/06/12/barsky-potential-consequences-smoke-free-public-housing-rule/
- Douglas E. Levy, Inez F. Adams, and Gary Adamkiewicz, "Delivering on the promise of smoke-free public housing," *American Journal of Public Health* 107.3 (March 2017), 380-83.
- Tony Marcano and Ritchie Torres, "Is it Fair to Ban Public Housing Tenants from Smoking?" *New York Times* Dec. 8, 2016.

Christopher Coker, "The West's Lust for Liberty," *Engelsberg Ideas* [web], April 2023, excerpts [1 p.]

Sept. 18: Rights *Discussion Questions*

M. C. Brannigan, "Human Rights," *Encyclopedia of Applied Ethics*, pp. 665-66, 668-671 required. *Optional*: "Historical Overview", 666-68, Conclusion, 671-72.

Ahmed Shaheed and Rose Parris Richter, "Is 'Human Rights' a Western Concept?", *The Global Observatory*, (International Peace Institute), Oct. 17, 2018 https://theglobalobservatory.org/2018/10/are-human-rights-a-western-concept/

Human Rights Watch, "The Human Right to Water: A Guide for First Nations Communities and Advocates," 2019, pp. 2-6.

Brian Palmer, "Is Water a Human Right?" onEarth blog, NRDC, March 3, 2016, https://www.nrdc.org/onearth/water-human-right

Kendra Okonski, "Is Water a Human Right?" *New Atlantis* 24 (Spring 2009), esp. 1-8.

Sept. 20: Writing about Ethics and Frameworks Recap

Assorted writing samples on Canvas

And fill in assigned "frameworks" slot

Sept. 25: Applications: Speech and Harm *Discussion Questions*

Ishani Maitra and Mary Kate McGowan, "Introduction," in *Speech and Harm: Controversies over Free Speech*, 1-15.

Laura Beth Nielson, "The case for restricting hate speech," *LA Times*, June 21, 2017.

David Cole, "Why we must still defend free speech," *New York Review of Books*, Sept. 28, 2017.

Daniel Henninger, "They Want to Shut You Up," *Wall Street Journal* Dec. 15, 2022.

Jacob Mchangama, "Will Banning Hate Speech Make Europe Safer?" *Wall Street Journal*, Feb. 4, 2022.

II. JUSTICE—DISTRIBUTIVE AND BEYOND

Sept. 27: Distributive Justice
Kwame Anthony Appiah, *Thinking it Through* (Oxford University Press, 2003), 248-52, 260-69.
John Rawls, "A Theory of Justice," in *Ethics in Practice*, ed. Hugh LaFollette (2014), 513-23 (*just spend 10 minutes perusing*)
Robert Nozick, "The Entitlement Theory of Justice," in *Ethics in Practice*, ed. Hugh LaFollette (2014), 523-34 (*just spend 10 minutes perusing*

Sept. 30: Writing Assignment #1 Due, in Canvas, 11:59 pm

Oct. 2: Applications: Funding K-12 Education *Discussion Questions—may include Sept. 27 readings too*
Alan Greenblatt, "California Upends School Funding to Give Poor Kids a Boost," August 19, 2013, http://www.npr.org/2013/08/19/212294111/california-upends-school-funding-to-give-poor-kids-a-boost
Michael J. Mischak, "California Voters Split on Jerry Brown School Plans," *Los Angeles Times*, March 23, 2013.

Oct. 4: Applications: Distributing Vaccines *Case Presentation*
Amartya Sen, "Ethics and the Foundation of Global Justice," *Ethics & International Affairs* 31.3 (2017), 261-70.
World Health Organization, "Ethics and Covid-19: Resource Allocation and Priority-Setting" (2020)
Ezekiel Emanuel et al., "An Ethical Framework for Global Vaccine Allocation," *Science* 369.6509 (11 Sept. 2020), 1309-12.
"A Global Covid Vaccine Heist," *Wall Street Journal*, Nov. 20, 2020.

Oct. 9: Applications: **Asylum Policy** *Case Presentation*
Paul Linden-Retek, "Whose Suffering Matters?" *Boston Review* Sept. 22, 2021, https://www.bostonreview.net/articles/whose-suffering-matters/
Alex Betts, "The Normative Terrain of the Global Refugee Regime," *Ethics and International Affairs* online (2015).

Oct. 11: Applications: Algorithmic Governance
Virginia Eubanks, "High Tech Homelessness," *American Scientist* 106.4 (2018) *https://www.americanscientist.org/article/high-tech-homelessness*
Halil Toros and Daniel Flaming, "Prioritizing Which Homeless People get Housing using Predictive Algorithms," *Economic Roundtable*, undated.

Oct. 16: Fall Study Break

Oct. 18: Beyond Distributive Justice: Non-Domination *Discussion Questions*
Iris Marion Young, "Displacing the Distributive Paradigm," in LaFollette, *Ethics in Practice* (2014), 535-44, focus especially on. 535-39.
Joy Rohde, brief summary of Allen, "New Theory of Justice," 2 pp.

Danielle Allen, "A New Theory of Justice: Difference without Domination," in Allen and Rohini
Somanathan, eds., *Difference without Domination,* focus especially on 43-52.

Oct. 23: Beyond Distributive Justice: Non-Ideal Theory *Discussion Questions*
Charles W. Mills, "Racial Liberalism," *PMLA* 123.5 (Oct. 2008), 1380-97, see annotations in document for
selections
And fill in assigned "frameworks" slot

Oct. 25: Applications: Gender Inequality *Case Presentation*
Harry Brighouse and Erik Olin Wright, "Strong Gender Egalitarianism," *Politics and Society* 36 (2008):
360-72.
Joanne Lipman, "Want Equality? Make New Dads Stay Home," *Wall Street Journal*, Sept. 29, 2018.
Kaiser Family Foundation, "Universal Paid Family and Medical Leave," Oct. 1, 2021.
Joe Pinsker, "The Conservative Argument over Paid Family Leave," *Atlantic.com*, July 25, 2019.

Oct. 30: Epistemic Justice *Discussion Questions*
Gaile Pohlhaus, "Varieties of Epistemic Injustice," selections, in *Routledge Handbook of Epistemic
Injustice* (2017).
Benjamin Pauli, *Flint Fights Back: Environmental Justice and Democracy in the Flint Water Crisis* (2019),
chapter 5, selections.

Nov. 1: Applications: Reparations *Case Presentation*
William Darity Jr. and A. Kirsten Mullen, "Resurrecting the Promise of 40 Acres: The Imperative of
Reparations for Black Americans," Roosevelt Institute, June 2020, pp. 5-14, 28.
Burgess Owens, "I Didn't Earn Slavery Reparations, and I Don't Want Them," *Wall Street Journal*, May
25, 2019.
Noah Millman, "Taking Reparations Seriously," *The American Conservative* May 29, 2014, web.
Optional: Ta-Nehisi Coates, "The Case for Reparations," *The Atlantic*, June 2014, web.

Nov. 6: Applications: Affirmative Action *Case Presentation*
E. Frankel Paul, "Affirmative Action," *Encyclopedia of Applied Ethics,* 2nd ed., pp. 64 (Section, "Affirmative
Action as Public Policy), and 66-71.
Gloria Oladipo, "Affirmative Action ruling shows 'willful ignorance of our reality," *Guardian* June 29,
2023.
Bobby Jindal, "Affirmative Action Bred Hypocrisy and Victimhood," *Wall Street Journal*, July 18, 2023.
Jerome Karabel, "The Decades-Long Fight to Dismantle Affirmative Action," *New York Times* June 30,
2023.

Nov. 8: Environment *Case Presentation*
Kyle Powys Whyte and Chris Cuomo, "Ethics of Caring in Environmental Ethics: Indigenous and Feminist
Philosophies," in *The Oxford Handbook of Environmental Ethics,* eds. Stephen M. Gardiner and
Allen Thompson (2017), pages 1-9 required, 11-21 optional.
Anna Aberg, "The Historic Loss and Damage fund," *Chatham House*, Feb 1, 2023,
https://www.chathamhouse.org/2023/02/historic-loss-and-damage-fund
Donald Brown, "Ten Practical Consequences of Acknowledging that Climate Change is an Ethical
Problem," 2011.
"Biden Signs up for Climate Reparations," *Wall Street Journal*, Nov. 20, 2022.

II. ETHICS OF POLICY PRACTICE

Nov. 13: No Class

Nov. 15: Lying and Dirty Hands *Discussion Questions*
Sissela Bok, "Lies for the Public Good," in *Lying: Moral Choice in Public and Private Life* (1978), 165-181.
Kennedy School of Government Case Program, "Ethical Problems in Public Careers: Lying."
Michael Walzer, "The Problem of Dirty Hands," *Philosophy and Public Affairs* 2:2 (1973): 160-80,
     selections

Nov. 20: No Class

Nov. 22: Thanksgiving break

Nov. 27: Ethics in a Bureaucracy
Lynette Clemetson, "Homeland Security Given Data on Arab-Americans," *New York Times*, July 30, 2004.
New York Community Media Alliance, "Department of Homeland Security Gets Census Data on Arab
     Americans—Decried as Violation of Trust," Voices that Must Be Heard, web, Sept. 23, 2004.
Eric Lipton, "Panel Says Census Move on Arab-Americans Recalls World War II Internments," *New York
     Times*, Nov. 10, 2004.
U.S. Customs and Border Protection Talking Points, Census Request on Arabic Information, August 12,
     2004.
Hermann Haberman, "Ethics Confidentiality, and Data Dissemination," U.S. Census Bureau White Paper,
     n.d. [2004], 1-14.
CAIR, "Brief on Countering Violent Extremism," July 8, 2015.

Nov. 29: Ethics in Policy Advocacy and Expertise *Case Presentation*
Martin Wachs, "Ethics and Advocacy in Forecasting for Public Policy," *Business and Professional Ethics
     Journal* 9 (1990): 141-56.
Steve Carmody, "Researcher Says EPA's Cost-Benefit Analysis of Revised Lead & Copper Rule Falls
     Short," Michigan Radio, May 10, 2023. https://www.michiganradio.org/transportation-
     infrastructure/2023-05-10/researcher-says-epas-cost-benefit-analysis-of-revised-lead-copper-
     rule-falls-short

Dec. 4: Whistleblowing *Case Presentation*
Sissela Bok, "Whistleblowing and Professional Responsibility," *NYU Education Quarterly* 11 (1980), 2-7.
Short Whistleblowing Readings pdf.

Dec. 6: Standards of Ethical Conduct
U.S. Office of Government Ethics, "Standards of Ethical Conduct for Employees of the Executive Branch,"
     Jan 1, 2017 (skim TOC, read pp. 1-2).
OECD Recommendation on Public Service Leadership and Capability, 2019 (2pp).