

# PUAF 650 Moral Dimensions of Public Policy

## Spring 2014



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*Time:* Thursday, 1:30-4:00

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### Overview and Objectives

This course starts from two main premises:

1. *Value judgments are pervasive in policy decision-making.*
2. *Value conflicts are irreducible and ineliminable.*

Value judgments<sup>1</sup> are pervasive in policy decision-making. Morality is not just a set of constraining rules you make sure you aren't violating before you make a decision on other grounds, and it isn't just one more factor to consider along with, say, financial costs. We make moral judgments whenever we decide whose interests to count in our analyses, what should be considered part of our organization's mission, which costs are acceptable, and what our funding priorities should be. We often make moral judgments without even realizing that we are doing it - when everyone around assumes that X is a good thing to pursue, it is easy for a smart policy analyst to jump straight ahead to figuring out how to get the most X for the least \$ and not even pausing to realize that X's value was something decided on. It might even count as shocking naïveté to question whether X is really good. This class is pro-shocking-naïveté. One goal of the course will be to try to make implicit moral judgments explicit, and examine them in the light of day. Maybe we will decide they are in good order. Maybe we will not.

Value conflicts are irreducible and ineliminable. Many policy analysts, like many philosophers, see the diversity of moral viewpoints people actually hold as something of an embarrassment. Not an embarrassment for us, of course, we're *right*, but an embarrassment for *them*. *Why can't they just stop seeing things that stupid way and agree with my clearly correct way?* Some people who worry about this kind of thing swing all the way the other direction and say that the answer must be that *no one* is right, and that's why we can't all agree. I hate to say it, but both of these views are luxuries that philosophers can afford but policy analysts and policy makers cannot.

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<sup>1</sup> In this course, we will not make much of any differences of meaning between "morality," "ethics," and "value." When we speak of *rules we follow*, we will use "morality" and "ethics" more or less interchangeably. When we talk about *what we would like to create or see happen*, we will talk about things we "value."

Even if there were One True Morality out there, waiting to be discovered - by you! - it would do you little good. Arguments between utilitarians and deontologists have been ongoing for hundreds of years and your RFP language is due next Tuesday. On the other hand, you can't rest content with easy relativism. It is hard to agree to disagree when in the final analysis you are either going to get to inspect this nuclear facility or you aren't.

The second principle means we need tools for constructively engaging, across value divides, with the issues we will (hopefully) be unearthing as a result of attending to the first. To that end, by the completion of this class, you should be able to:

- engage respectfully and constructively in disagreements about morality and values,
- identify and clarify the moral issues that surround difficult (and, heck, easy) policy decisions,
- write clearly and concisely about moral issues and policy analysis,
- integrate your moral analysis of a situation with the relevant non-moral facts,<sup>2</sup>
- understand some of the major moral issues that arise in connection with the practice of democratic politics, the relationship between the individual and the state, and the use of state violence, and
- if all else fails, have a sense of some of the major debates in academic political philosophy.

The rest of this syllabus describes the tools we will use to try to achieve these objectives.

## Structure of the Class

There are many issues to explore in a class like this, and sitting for two hours while I describe them to you is likely to be one of the least effective and most boring ways to explore them. Therefore, this class uses a very decentralized structure, where you are expected to more of the relatively passive absorption of material outside of the class period, but we will do more relatively active work in the classroom itself.

## Outside the Classroom: Reading and Audio Lectures

As with any class, one of your primary jobs as a student is to read interesting things. *This is a fantastic job to have.*<sup>3</sup> There's not much more to say than this. For each session, I have

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<sup>2</sup> Please take this seriously. Doing applied ethics well is *hard*, precisely because you must understand the non-moral facts quite well before you can responsibly pronounce on the difficult question of what is to be done. I will be merciless on writing that tries to play fast and loose with the empirical facts because this is philosophy class.

<sup>3</sup> As you read through this syllabus, you may start to think, "Hey, if I play my cards right, I can probably get away with blowing off at least some of the reading!" Yes, that's true, by design, actually. You are all adults, and I feel silly giving pop quizzes. Either the reading is valuable to you, or it isn't. If it is, you're only hurting

collected a number of readings that address a core theme, and if you read them you will be much better equipped to participate in discussions and other activities than if you do not.

The other part of the class that happens outside class time is listening to lectures. Many people find brief lectures where the instructor walks through the core ideas and main themes of the readings and topic helpful. But there is relatively little advantage to you doing this sort of passive work in class. So, for each class I will make available a short (I will try to keep them to 30 minutes or less) audio lecture where I do just that. Listen to it on your own time; I will do very little lecturing in class.

### In the Classroom: Questions and Discussion Groups

The entire class does not need to revolve around a large group listening to and firing questions at the instructor. This is especially true in a philosophically-minded course where it's not as simple as asking the instructor what *the* answer is (except perhaps on narrow textual issues). Both discussion with your peers and writing are important ways by which you will engage the material. But also, some of the readings are difficult, so there may be some value in listening to me occasionally.

We are going to split the difference. For roughly the first half of class, I will field questions and comments about the readings. I will not be going through and systematically summarizing them! So, you will get a lot more out of this if you have done the readings in advance.

For the second half of class, either we will have some specific activity (like a student group presentation or mosaic; see below), or we will split up into discussion/writing groups. You can have your choice. *Either* you can join a group of folks who will be discussing an application of the ideas from that session to a particular (usually fairly current) policy issue, *or* you can join a group to discuss your writing.

Discussion groups are fairly straightforward, but for some general principles on class discussion, please see Appendix C.

In the writing group, the point is to work through the process with your classmates, and support each other's work. So, what you should do is this: First, go around and have each person say something they are working on that is going well - this might be a nice turn of phrase, or an argument that's finally "clicked" or what have you. Then, go around again and have everyone say

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yourself if you don't read it. If it isn't, it would be bizarre and cruel for me to force you to read it. So, make your own decisions. You know, I can't stop you from treating your *entire* time here at the MSPP as a nothing more than a way to get a relevant sheet of paper, either. But if we're adding nothing to your life but a credential, you should skip my class to go demand better from the faculty and administration (you'll have to wait to come demand better from me, *ex hypothesi* I'm teaching the class that you're skipping). Otherwise you're being complicit in a massive waste of your own time and money. Bottom line: either the texts are valuable enough for your own sake to read them, or you really should spend the time you save not reading them yelling at me until I make the class better!

something in their writing that is giving them trouble. After you've had everyone give both kinds of input (and, by the way, if there is neither anything going particularly well nor anything going particularly poorly in your writing at the moment, the writing group may not be the place to be this session for you), you can generally discuss what's come up and try to help each other out.

### In the Classroom: Mosaic Groups

This is a relatively high-level survey course, as the saying goes: "a mile wide and an inch deep." But sometimes it is difficult even to appreciate the issues involved in some policy/moral area without exploring several different aspects of it. As a result, in some classes we will break up into "mosaic" groups to cover more ground.

The point of these groups is to make sure that each of you are exposed to and aware of a number of aspects of the topic we're discussing, without crushing anyone with work. They are also an exercise to get you to think about the main points of a paper in a way that can be conveyed to others clearly and concisely, without presuming too much on their background knowledge.

At least a week in advance of any class that will involve mosaic groups, I will post a sign-up sheet. Everyone should sign up to cover one sub-set of the readings (you will find lists as part of the reading schedule below, where applicable). Outside of class, you are responsible for reading all the **general readings** and the readings assigned for your sub-topic, but **not the readings assigned for other sub-topics**.<sup>4</sup> Sign ups are first come, first served. When you sign up for a sub-topic, you should not double up on a topic unless every topic has one person covering it, you should not be the third person on a topic unless every topic already has two people, etc.

In class, we will break down into groups twice during the time we devote the mosaic.

*First*, you will meet with everyone else who chose the *same* sub-topic. This will give you a chance to compare notes, and just generally discuss the issue that you have flagged yourself as particularly interested in. This is intended as a pretty unstructured, free-wheeling discussion.

*Second*, we will meet in groups of people who covered *different* topics. In these groups, you will be expected to go around and present the main ideas that you took away from your reading on your sub-topic. Then there will be time to generally discuss how the sub-topics fit together and whatever else you may find interesting.

### In the Classroom: Student Group Presentations

We will cover a number of specific topics in the class: war, drugs, civil disobedience, etc. But there is no way that we could cover everything of interest to all of you. And many of our readings

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<sup>4</sup> Of course, you *may* read them. Some of them are interesting.

will still be at a fairly "theoretical" level.

To mitigate these effects, we will also have student presentations on a topic from time to time. These are discussed in more detail under "assignments," below.

### **In the Classroom: Breaks**

That's a lot to do in a class. About halfway through, we'll take a short break. Try not to stretch it past ten minutes.

### **Assignments and Grading**

Your grade in the class will be based on five factors, which will be explained in more detail in this section of the syllabus.

- Class Participation (15%)
- Short Writing Assignments (40%) and Peer Feedback (15%)
- Group Presentations (15%)
- Moral Mapping Exercise (15%)

### **Class Participation**

This is fairly straightforward. You can learn a lot about policy and philosophy on your own, but the point of this class is to have you hash it out with your colleagues. The baseline for class participation is that you show up, prepared to take part in activities and discussions with your classmates. If you are an active user of out-of-class ways of participating - contacting me via email, coming to office hours, that will count in your favor, but the main focus is on how much you contribute to the intellectual atmosphere of the classroom.

Note the first: Of course, sometimes you need to miss class. If you are out once or twice over the course of the semester, it will not really hurt you. If you need to miss more classes, please talk to me about it.

Note the second: I know, some people are shy. Unfortunately, there is no way around the value of open discussion for improving your understanding of things. I have tried to provide ample opportunity for small group discussions and other venues for participation that may be less dominated by the most extroverted students in the design of this class.

### **Short Writing Assignments**

Over the course of the class, you will be asked to write three short pieces. Do not take "short" to

mean "easy" - part of the point of the structure of these assignments is to help you improve your ability to pare down your ideas into a concise, clear, focused piece that nonetheless doesn't oversimplify.<sup>5</sup>

The *format* of the memo should be familiar from your other memo-writing classes, though the *content* may be different.

Please also see Appendix D for the University Honor Code and a note on what constitutes plagiarism. I have had students, in the past, tell me that they were unaware of the rules regarding plagiarism - I find this difficult to believe, but to avoid any confusion, here are the basic rules:

- If you use someone's exact words, they must be in quotes (or otherwise indicated as a direct quote, such as by being set off in a block quote), attributed, and sourced.<sup>6</sup>
- If you paraphrase someone's words, it must be sourced.
- If you make a factual claim that is not common knowledge, it must be sourced.

Let me say this one more time, and please be assured that I am only doing so because there is a problem with plagiarism almost every semester: ***PLAGIARISM WILL NOT BE TOLERATED.***

## **Memo Format**

Every memo you write in this class should follow roughly the same basic format, and will be graded in part on style. Here is how to get maximum style points:

- At the top of your memo, include a header that indicates your name, the intended recipient's name, the topic of the memo, and the date.<sup>7</sup>
- Memos should be **no longer than three pages, single-spaced.**
- Text should be single-spaced, but a wall of text is not what you are going for. Use white space, headings, and bullets judiciously to break up the text and help your reader find what she is looking for. Your design goal should be that a reader looking for a particular point you make should be able to find it without having to read the memo linearly again from the first page.
- **Include a "bottom line up front" paragraph at the start.** This is a paragraph, typically no more than three sentences long, which lays out the basic point of the memo. Someone who reads *only* this paragraph should be able to tell me what your memo is about and what your perspective is. Importantly, **this paragraph should give away the ending.** *Don't* say something like, "this memo will explore the question of whether the ICC should issue an arrest warrant for Bashar al-Assad." *Do* say something like, "failing to issue an arrest warrant for Bashar al-Assad would be unconscionable and undermine the fundamental point of the ICC." You are not making your whole argument here, but your reader should know what you are aiming at.

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<sup>5</sup> In other words, the exact opposite of this syllabus.

<sup>7</sup> You do not need to write "Memo" or "MEMORANDUM" across the top or anything like that.

- Memos should be fully referenced (you may not need to do this in “real life,” but it’s important here). I do not particularly care what kind of system you use - parenthetical notation, endnotes, etc. References and pure citation notes do not count toward the length of the memo (if you use notes, it makes it easier if you use endnotes rather than footnotes). The only thing that is important in your choice of reference format is that they contain enough information for me to easily track down your source. In particular - and I know there are some reference formats that don’t include this, they strike me as utterly unhelpful and you should not use them in my class - if you are citing a resource from the internet, **you must include the URL**. This does not apply to articles from journal databases like JStor; just include the issue and volume number, as usual.

## Memo Content

Each of your three memos will have a different focus and content.

### *Moral Analysis Memo*

This memo should be directed **to me**.

In this memo, you should pick some live policy question that you care about - it can otherwise be whatever you like.<sup>8</sup> In this memo, you will be **explaining** what you take to be the major moral/ethical issues that impact on the policy. Your job is *not* to say what should be done about it.

The memo should cover at least four areas:

*First*, it should clearly lay out what the issue at hand is. What is the policy question? What kind of decision needs to be made about it, and by whom? If there are multiple policy actors who can influence things, pick one and tell me which one you’ve picked (e.g., both Secretary Kerry and Congress have some influence over US-Iran relations, but different kinds).

*Second*, it should explain the relevant background of the policy issue in a way that a non-specialist can understand just from reading what you have written. This is a judgment call, intentionally - include what you think your reader needs to know to understand your analysis, but not more than that.

*Third*, it should explain who the morally relevant stakeholders in the situation are, and why. When the decision is made, whose interests should “count?” This may also include explaining why some people whose interests might *seem* morally relevant should in fact not be considered in making the decision. For example, if we are talking about whether or not the US should further

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<sup>8</sup> Read “policy issue” broadly. Whether the US should invade Iran is a policy issue, but so is whether Greenpeace should change its stance on nuclear power, or even perhaps whether Apple should change its oversight rules for factories in China. And I should not have to say this, but I get the question almost every semester: yes, nations other than the US have policy and, yes, of course, you can write about them.

clamp down on illegal immigration, you will need to explain why the interests and desires of foreign nationals who want to come to the United States should or should not matter to the decision.

*Fourth*, it should lay out the most important and/or influential options that people have proposed for addressing the issue. For each option, do two things. First, explain how people who propose it are defining “success.” Different proposals may not agree on this! For instance, if we are talking about, say, a conservation policy, some proposals may be aiming to ensure the survival of the ecosystem for its own sake, while others may count it as “success” if the local tourism industry thrives. Second, explain the normative upsides and downsides of the option. The point is not to comparatively assess them or say which one has the best balance of good and bad, but just try to as honestly as possible point out the advantages and disadvantages of each option (which will, generally, be tied to the kind of “success” proponents of that option are focused on).

### *Reaction Memo*

This memo should be directed **to me**. Please pick one of the readings for this class (optional readings are fair game).

The overall point of this memo is to explain why you disagree with the author on some point that she makes. As you write it, keep in mind that *that* you disagree is just human nature, *why* you disagree is the important part.

First, simply explain the point you disagree with. This need not be very long, but you should at the very least explain what the point is, how you think the author ends up there, and what the importance is for her piece. **Select one point or argument you disagree with.** If you try to cover everything in a piece that you disagree with, you are not going to be able to focus in on the details of any one.

- This should be an *important* disagreement. If you do not think that the fact that you disagree means much to any interesting issues, pick something else.
- This should be a *philosophical* disagreement. Disagreement about facts are important! But they are not what I would like you to go after in this assignment. Focus on disagreements that go either to the question of what rules people ought to be following, what they ought to be striving for, how they ought to relate to each other, and the like. Of course, sometimes philosophical differences are tied up in disagreements about the facts, just avoid *purely* factual disputes. If you are unsure whether you are over this admittedly fuzzy borderline, just ask me.
  - So, for instance, you probably do not want to focus on something like, "Fnord, *et al*, argue that women receive only 71% of a man's pay, on average, for comparable work. In reality, the number is closer to 78%, but it is still unfair."
  - It would be more interesting to say, "Fnord, *et al*, argue that it is unfair for women

to be paid only 71% of what men are paid. I say that whatever you are paid in a free market is, by definition, fair."

- A mixed fact-value case but still an interesting and worthwhile one would be something like, "Nord, *et al*, argue that women are paid only 71% of what men are paid. But this statistic is misleading - when you break the numbers down by field you find that when women do not have children the gap narrows dramatically. Therefore they are wrong to focus on reducing misogyny in society; our real target should be the relationship between work and family."

Second, explain *why* you disagree. This is crucial but often overlooked: **do not simply emphatically state your disagreement**. If the author is arguing that, e.g., citizens have an obligation to be actively engaged with their government, it is not enough to simply say, "I do not think citizens need to do that." Explain *why*. Maybe you think that no one can be coerced to do anything except avoid harming others, say. Then dig. The author you are reading has probably heard that one before. *Why* doesn't she accept your very limited scope of legitimate coercion? What can you say in response? Do not throw your hands up and say something to the effect that you simply feel differently or have different basic intuitions until you have pushed as far as you can.

Third, and this may be tied up with your second task, explain what your positive, alternative theory/principle/idea is. If you are arguing against someone who thinks that only states can legitimately declare war, explain who *you* think can legitimately declare war. If you are arguing against someone who thinks that the social contract is irredeemably racist, explain how you would put together a non-racist social contract (or what principle you would judge contracts on to which racism is irrelevant).

### *Dilemma Memo*

Often, the way that policy "debates" happen is that individuals and organizations with fixed, sometimes institutionally mandated positions will duke it out in public. This can make it seem as if there is no room for constructive engagement - it is rare for groups like the Chamber of Commerce and Unite Here to sit down together and say, "OK, we've managed to see where the other is coming from, and we've both agreed on something we can live with." Whether that's a feature or a bug of our public climate is something we will discuss, but it is not a good environment to look to to find how to address the nuances of moral positions.

But organizations and policy actors are not always *internally* univocal. Many organizations have multiple value commitments and can face interesting and difficult decisions about how to reconcile them. Is NARAL a pro-choice organization or a feminist organization (and how far are those two the same)? Is the Republican Party the party of small government or the party of traditional values (and ditto)?

In this memo, you should choose some *actual* - current or recent historical - issue facing some

*particular* organization that seems to have an ambiguous relationship to that organization's core values. You need not have evidence that there *was* internal debate about that matter - that information is often not available. It is enough to find an issue where it seems morally plausible that the organization could have faced a tough choice. Here are some quick (real) examples, but pick your own:

- Should NARAL have supported or opposed a bill that would make it harder for individuals fined for harassing abortion clinics to declare bankruptcy (and avoid paying the fines), but also harder for women facing debts from medical crises or divorce (which disproportionately affect women) to declare bankruptcy?
- Should the National Alliance on Mental Illness have lobbied for a law that permits people who are not a clear danger to themselves or others to be coerced into outpatient treatment to ensure that more people can get help, or is this a violation of the rights of the mentally ill?
- Should an environmental group concerned about carbon emissions support or oppose the expansion of nuclear power?
- Should the US impose restrictions on NGO recipients of aid that prevent them from working with sex workers, so as to avoid complicity in prostitution and trafficking, or should there be no such restrictions so that sex workers can more easily obtain medical care?
- When General Shinseki testified before Congress that the Iraq war would require many more troops than the Pentagon's civilian leadership was predicting, was he rightfully upholding his duty to give his best military advice to civilian leaders or wrongfully undermining civilian control of the military?
- How should Doctors Without Borders have balanced its obligation to protect its own personnel (who have, after all, knowingly signed up for work that they know to be dangerous) with its mission to save lives in conflict areas in making its decision to withdraw from Somalia?
- Should Human Rights Campaign back a hate-crimes bill that includes protection for gay men and lesbians but not for transgendered people because at least it is something?

Once you have selected an organization and a dilemma that confronts or confronted it this memo should be directed to **a member of the organization with the power to take action on the issue you are concerned with**. You should write the memo as if you are **a staff member of the relevant organization asked to provide advice to your principal**.

First, you should, as always, lay out the issue at hand. Here, you can assume that your principal has some specialist knowledge, but you still need to describe what you take to be the important aspects of the issue in play.<sup>9</sup>

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<sup>9</sup> In your list of sources, please do include some that would allow *me* to get a broader background on the issue, since I am not likely to have specialized knowledge of the topic.

Second, you should explain why the issue poses a moral dilemma within the value-structure of your organization. If you are writing to the Pope, you don't need to explain what atheists think about the issue. But you do need to explain which value commitments or concerns of the organization are in tension or conflict here.

Third, explain what you think the best option to take is, within the context of those values. Keep in mind a few points here.

- Re-read the bits above under "reaction memo" on how you need to explain why you agree with one position and not another. "I feel like free speech is more important than preventing harm" or the like is not going to be enough.
- Your explanation may very well require that you put the various concerns of the organization in a priority order (again, explaining why) or re-interpreting them in some way that avoids the apparent dilemma (e.g., "Shinseki's obligation is not to submit to the civilian leadership of the Pentagon, but to civilians in the body of the whole US voting population").
- The option you suggest taking *must be within the power of your principal*. Barack Obama can't pass laws (he can use his bully pulpit to support them). Greenpeace neither builds nor refrains from building nuclear reactors (but it can put out PR campaigns for or against them). Ban Ki-Moon can't send peacekeepers to Syria without a Security Council mandate (but he can lobby for such a mandate). Etc.
- This discussion should probably include at least some discussion of what the other plausible (or superficially plausible) options are, and why yours is superior in terms of satisfying the values (properly understood) of the organization.

### *Peer Feedback*

While you can get some peer feedback in class by selecting the writing center, there is no substitute for the discipline of having someone go through your writing in detail (and doing the same for them). So, each memo will include a phase where you give and solicit peer feedback. Here is how that works:

Each memo will have three due dates associated with it (see the master course calendar in Appendix A). On the first date, you will email me a first draft of your memo. *This draft will be graded*, solely as a hedge against people not bothering with first drafts, or turning in radically incomplete ones (for more on grading, see the end of the Assignments section). I will post a copy of your memo to Google Docs, shared with the rest of the class, and create a master document you can all visit with links to every draft. I will email this link, and it will also be available on the course's Canvas site.

You will then have one week to choose *two* of your classmates' memos<sup>10</sup> and give feedback on them (just make comments or edits on the Google Doc). Feedback will be due by the second due date, one week after the first one. **If you do not receive two sets of feedback by the due**

**date, please contact me ASAP and I will make some comments on your draft.**

Once feedback is complete, you will have a week to incorporate it. A final draft is due to me on the third due date, two weeks after you turned in your draft.

**Please note that because this structure incorporates feedback already, I do not have any provision for re-writes of short papers in this class. If you ask, I will politely but firmly say no.**

Endeavor to give the most helpful and informed feedback that you can on your colleagues' papers. Not only does this express your respect for them and their work, it is part of your grade.

### *Memo Timing*

The memo due dates are spaced out across the semester, as noted below. But you can write the memos in whatever order you like. That is, you can first turn in an analysis memo, then a reaction memo, and then a dilemma memo; or, you could go dilemma-analysis-reaction; or, however you like. The due dates are necessary to coordinate peer feedback and prevent my receiving everyone's memos on the last day of class<sup>11</sup>, but the order is unimportant.

Because of the need to coordinate peer feedback fairly, please do your best to get your draft memos and peer feedback in on time. This is not, in this case, an arbitrary rule, but a way to ensure that you are not disadvantaging any of your classmates. If, for some reason, you have a legitimate need to delay an assignment, please contact me *before* the due date, unless it is an emergency that prevents that.

Note that if you do *not* turn in a draft, you should also *not* submit peer comments. If you do, you are mucking up the math and preventing someone else from turning in their required two comments. I know that this means you will be dinged both for the missing draft and for the missing comments. Please turn in assignments on time (barring emergencies, legitimate problems, etc., of course)!

### **Group Presentations**

Some of the theory in the class can be abstract, and it is often best understood if applied to concrete cases. But, if I choose the cases you will only learn about things I am interested in - this is your chance to bore me, rather than the other way around!

By the third week of class, you will have chosen (or had chosen for you) a small group of your peers to work with on preparing a case study for discussion one week during the semester. Assuming the course is full at 20, we'll have five groups of four. Then...

First, choose a date on which to present. There will be a Google Doc to sign up for dates; first come, first served. You will be expected to relate your case study to the theme of that class, so choose with that in mind.

Second, choose an actual policy decision (historical or in-progress) that has two critical aspects. A) it should interest the members of your group. B) it should plausibly relate to the theme of the class on the day you'll be presenting.

Third, write up the case. You will be expected to prepare a one-page document/handout for the rest of the class to read that briefly explains the case and why it is interesting and important. Your write-up should accomplish the following:

- Explain the case in enough detail that a reader with no familiarity with the particular case (you can assume general background understanding of the basics of national and international politics - no need to explain what the UN is, or how many justices there are on the US Supreme Court) will understand what happened/is happening, and why (more or less). Pay special attention to explaining who the major stakeholders are/were and how their perspectives differ.
- Explain why the case is important and/or interesting, with special reference to the moral issues involved and the theme of the class. For instance, if you were talking about Israel's decision to bomb Iraq's Osirak reactor, on the War day (good choice!), you should probably discuss whether the decision met just cause criteria, etc.
- Provide at least three open-ended discussion questions for the class. Ideally, these should be more specific than, "did the relevant actors do the right thing?" Your questions should guide the class into illuminating the major issues at stake.

Fourth, send the write-up to me **no later than Monday** of the week you will present. Then I can circulate it to the rest of the class.

Fifth, take a breather! Hey, rest of the class: read the case write-up. Think about if you have any questions. Consider your answers to the questions posed by the presenters.

Sixth, on the day of the presentation, I will set aside the final hour of the class for you. You should give a brief presentation of the issues - remember that everyone in class should have read your write-up. Then it will be your main responsibility to field questions about the case and guide discussion.

Please keep in mind that **it is not your responsibility to provide a general presentation on the themes of the class**. You should not be trying to put together a presentation *on* "identity politics" (e.g.) as a whole. Rather, you should be presenting on some particular policy issue that relates to that general question.

Also, I know that dynamics in group work can sometimes be problematic. If you can, try to work it out amongst yourselves. But if there is a real issue that you cannot resolve internally, please come talk to me about it ASAP.

### Moral Mapping Exercise<sup>12</sup>

As we will discuss at our second meeting, often moral theorizing and moral reflection proceeds at least in part by critically considering how well our concepts “hang together” with each other. Our moral attitudes and beliefs are not just an unstructured list of things we happen to believe - any more than our beliefs about the physical world are (e.g., I have a theory about objects that leads me to believe that my bike is across the room from me as I write this, and not that I just happen to be seeing a sort of wavy green patch). We often feel - reasonably - more confident in our own beliefs if they are tightly interwoven and mutually supporting, rather than disconnected and sparse. And it can be helpful in understanding and constructively engaging with others to understand how *their* beliefs and attitudes and perspectives are linked with each other. Someone who holds a single view you find obtuse or bizarre may be a lot more approachable once you realize how that view fits into the rest of her moral life (you may still not agree, but understanding may show you other ways to address your issues). And, ideally, the process of constructing it will spur you to reflect on your morality

This semester, I will be asking all of you to construct maps of your “moral networks.” From your individual contributions, I will construct a map for the whole class, which will show how various moral “bits” - ideals, beliefs, concerns, etc. - are linked together for us as a group. It will be interesting, I hope, to watch how our group map evolves over time. Will we tend to converge? Will we tend to polarize, as people clarify exactly how they disagree? Will some concepts end up looking more or less central?

Here is how we will do it.

1) Write answers to the following questions on small pieces of paper (“PostIt” notes work well) and stick them randomly on a table surface. Write one answer on each note and use as many notes as you like. Skip any questions for which you do not have significant and genuine answers; it will be normal to leave several of them unanswered, or even most of them.

- A. What abstract moral principles seem compelling to you? (An example—but your own may be quite different—would be “Every human life has equal value.”)
- B. Which exemplary people do you strive to emulate? Whose life stories do you admire most?
- C. What stories or scenarios (real or fictional) seem to recur and move you when you think about moral questions?

- D. What fundamental truths about nature or the universe seem relevant to your moral ideas? (For example: Everything happens for a purpose, because God is in charge. Or: all life is suffering.)
- E. What techniques do you use for making assessments or decisions? (An example—but again, yours may be quite different—would be weighing costs against benefits.)
- F. What personal virtues do you strive to develop?
- G. What vices do you particularly dislike? (Write these down as aversions, e.g., "Against sloth.")
- H. Whose approval matters most to you?
- I. What situations most deeply upset you?
- J. Of what communities are you a loyal member?
- K. Any other relevant ideas that emerged when you considered the questions above.

Before moving on to the next step, take time to look at your notes as a whole. Consider adding or removing notes based on the following prompts.

The choice to add or remove is based off subtle distinctions. It does not matter if you would make changes the same way I would. It is important, however, that you know what you are doing. If you are very stringent about what counts as part of your moral worldview, you will get a stringent map. If you are permissive, you will get a more generous map. Just be conscious of how you have made your choices.

Omit your vices: This is a map of your moral thinking--of what you believe to be right and good, and why. It is not a map of your whole personality or an explanation of your behavior. We all have vices: motivations that explain our actions but that we dislike and disapprove of. They do not belong here. For instance, if I admire hard work but I am actually lazy, then "hard work" belongs on the map (as one of my moral judgments), but laziness does not.

Include your moral biases: On the other hand, you may think that things are good or fair for reasons that you do not wholly approve. For example, I rank my family's safety and happiness much higher than the safety and happiness of distant, and anonymous strangers. That difference colors my moral judgments, making me disproportionately upset about threats to the safety of middle-class American families. I do not consider my own partiality or favoritism commendable, but it is a part of my moral thinking. So it belongs on the map. I might also put "impartiality" on my map if I felt that the tension between the two ideas influenced me.

Exclude ideas that have no real influence on you: Even though I may believe that my own life isn't more important than any other person's, that belief is inconsistent with my everyday moral judgments. I would probably be giving myself too much credit if I put "perfect human equality" on my own map. I endorse it, but so theoretically (or hypocritically) that I don't think it belongs.

2) Look at the notes you have completed, one at a time. For each note, consider whether it is connected to any of the others. For instance, what is written on note A may imply what is written

on note B. A may cause B. A may be a person or institution that teaches or endorses B. A may resemble B. A may increase the odds of B. A may just remind you of B. For this step, how A and B are connected is less important than whether they are connected. If you sense a connection, record it.

Count the relationships that exist between each note and all the others and write the total on the note. You may find it helpful to use one corner of each note to make tick marks as you consider how it is connected to the others. Then when you are done, you can count the sum of tick marks and write it in another corner.

3) Arrange the notes so that the ones with the highest numbers are near the center. If two of these notes are in tension or contradict each other, push them apart, as if they both carried the same magnetic charge. Then arrange all the other notes (working from higher to lower scores) so that they are near the ones they resemble and far from those that they contradict.

No single arrangement for your notes is correct, but spend time moving them around until the pattern seems meaningful. A central location implies importance to the network as a whole. Closeness between two notes implies similarity. Distance implies tension or contradiction.

4) Draw pencil lines between any two notes that you connected in step 2.

4a) Keep in mind that the point of the exercise is to find the connections between concepts, so don't take the procedure in 2-4 to be absolutely set in stone. If another way of coming up with connections between your "nodes" is more congenial for you, use it!

5) Make a copy of the Google Docs network spreadsheet (you can find the link from the Canvas site). To make a copy, select File > Make a Copy. **Do not edit the template!** Then, rename your copy to Moral Network for [Your Name].

6) Fill in the information you created with your post-it notes. You can use the pre-populated elements of the template as a guide (but, of course, feel free to delete items or add to them - these are examples, not required elements). Start with the first sheet (look for the tabs at the bottom), "nodes." On each line, write the text of one of your post-it notes. So, "charity" and "never suffer an insult lightly" might be nodes. On the second sheet, "edges," you are going to record the connections. For each line you drew in step 4, fill in a row in the sheet with the two nodes that the line connects. So, if you drew a line between the note for "love" and the note for "family," you will fill in a row here that has "love" for node1 and "family" for node2. The order you list the pair in doesn't matter.

7) Share the document with me. To do so, click the blue button labeled "share" in the upper-right corner. On the menu that appears, down at the bottom, add "dikaiosunh@gmail.com" where it says "invite people" and click "done." Before you send it to me, take out anything that is personal and makes you even slightly uncomfortable to share publicly. You can either those delete rows

completely or replace words with “X”s. Note that what you send me is not private. Although I will not share your map with the class, I will be creating a group map that links all the maps (without the contributions of any student being labeled), and I may share lists of all the ideas that students have included. I will keep my own map private, but will include it in the master map along with yours. Fair’s fair.

8) Over the course of the semester, please update your map as you see fit. You may want to do this for a few reasons. First, the “master map” will reflect which concepts are most central to many people’s moral thinking, and reflect how many people connected any two concepts. So, if you have listed something that you think is basically the same as something on the map (e.g., you listed “greatest good for the greatest number” and someone else listed “utilitarianism”) you may want to change your wording to match so the map will reflect your agreement on the importance of the concept. Second, new ideas or new connections may occur to you as we go through the class. And third, some class discussions may convince you that something you thought was important isn’t (or vice versa), or that your connections need to be modified. Drop me an email if you update your sheet, so I can update the master map.

9) The second to last week of class, whether you have updated during class or not, take a serious look at your map and reflect on it (I suggest a cup of tea as an accompaniment to this task, but suit yourself). Adjust anything that you think merits adjustment. I will put together a final master map and we can discuss it a bit during our last meeting.

## Grading

### Triage Grading

In this class, I will be using a combination of Liz Lawley’s “A/C/F” grading approach (<https://medium.com/p/b90e5f6ae4e5>) and William J. Rappaport’s “triage grading” (<http://www.cse.buffalo.edu/~rapaport/howigrade.html>).

What does this mean?

In a highly qualitative class like this one, the detailed comments and feedback I will give you in our meetings and in writing on your assignments are much more valuable to your understanding of the material, and to your sense of how well you are mastering things, than the letter or number grades assigned. In fact, focusing in on the differences between a B+ and an A- tend to *detract* from that more fundamental understanding, in my experience.

So, for each assignment, you will receive only one of three grades: an A, a C, or an F (with one caveat).

If you do not do the assignment at all, or do a completely inadequate job of it, you will get an F. I

will not give you an F for an assignment that shows effort but is deeply problematic in some substantive way (that would typically get a C). Fs are reserved for work left undone, or for work that shows an insulting low level of effort. Please do not make me give any Fs; I don't expect to give any.

If you do the assignment, but in a minimally adequate way, you will get a C. If you show up to class but don't talk except when I directly call on you, or you don't seem to have given the readings much thought when you do, you will get a C. If your memo is done, but doesn't really address the important issues, you will get a C, etc. C is the grade you will get for "just showing up," but not for really meeting the standards I expect of students in this class.

If you show that you have at least basically mastered the material, you will get an A. Your work need not be perfect, but it needs to show that you have reached a level of understanding we expect of graduate students in public policy.

Caveat: I may, on occasion, give out an A+ to mark exceptionally good work. There is no "formula" for getting an A+; it is purely an honorific to recognize when someone has gone above and beyond what is expected.

Complex multi-part assignments, like the final paper, will receive subordinate grades, also on the A/C/F standard. See below for the rubrics/sub-elements.

Your final grade will be based on the weights given above, and will range over the full A/B/C/D/F (+/-) standard used by the School.

## **Grading Rubrics for Assignments**

*Class participation:* One overall grade.

*All memos:*

- Rough draft
- Style
- Quality of sources

In addition, on the *analysis memo:*

- Background
- Stakeholders
- Options and analysis

*Reaction memo:*

- Description of point
- Explanation of/argument for disagreement
- Alternative proposal

*Dilemma memo:*

- Description of organization's values
- Description of dilemma
- Argument for resolution

Note that the memos *together* count for 40% of your grade, but there is not an individual weighting. In no case will you receive a grade on the memos that is less than the arithmetic mean of your grade on all three. But leaving the grade loose among them allows me to reward improvement - there is no shame in not *starting* knowing everything - and discount clear outliers, etc.

*Peer feedback:* One overall grade on each piece of feedback. Your grade for feedback as a whole will simply be the mean of these grades.

*Group presentation:*

- One-pager
- Presentation

*Moral Network Mapping*

- Initial network
- Final reflection/revision

## Readings

### Where to Get the Readings

The only book for this class is Anthony Weston, *A Rulebook for Arguments*. Other readings are available to you in one of three ways, noted below.

- Online: readings that are natively online, or with a decent-quality public online version will have their URLs below.
- PDF: A scanned version of this reading will be available via Canvas.
- ResearchPort: The article is available via the UMD ResearchPort system. I will put links to these articles up on Canvas, but if you are not accessing the system from on campus, you may need to find it in the system yourself to engage the security properly.

Note that PDF scanned readings are organized *by book*, not in separate files by section if we are reading multiple sections of the book on different days. So, e.g., if you download the scanned excerpts from Amartya Sen's *The Idea of Justice*, you will have *all* the chapters we will read throughout the course, not just the chapters for one particular day. If you have trouble obtaining any of the readings, *please let me know ASAP*.

All of these readings are required; a list of optional readings that you may find interesting, organized by topic, can be found in the appendix to this syllabus.

Some of this reading is difficult, but it will usually yield to study, and that is why we will have a question and answer center in class. The readings will not always agree with each other, and you need not agree with them (I intentionally have readings on here I believe to be wrongheaded). When in doubt, work in groups and compare notes. When in doubt that that cannot resolve, or when in the throes of an interesting idea, email/call/tweet/visit-during-office-hours me.

The readings in this class will not always be perfectly ideologically balanced. Some of this is pure time constraint. But part of it is that moral and political philosophy is not an already-complete conversation that it is your job to merely observe and note. **You** are necessary to complete the conversation. If you feel that your perspective on an issue is not adequately represented in or addressed by the readings, well, *I guess we are very lucky to have you in the class to represent, then!*

Some of the reading deals with difficult material. This is somewhat unavoidable - policy decisions are made in a world filled with atrocities, violence, poverty, misery, misogyny, racism, domination, and other nasty things. But while we cannot in good conscience avoid difficult topics entirely in the class, if something is making you uncomfortable, please let me know, and we will find a way to move the conversation onto safer ground (or take other appropriate action). The course is intended to perhaps discomfit you sometimes, but not traumatize you.

## Part I: Politics Under Conditions of Value Pluralism

In the first part of the course, we will engage with some of the fundamental questions of political philosophy and public policy. As analysts and policy makers, in a world where value pluralism is a fact of life, how should you make decisions? What do you do about moral and factual disagreement? What do you do if *you* disagree with policies you are asked to implement? The sessions in this section will address those ideas, among others. We will focus on how to address these issues within a democracy, but even non-democratic systems must think about similar issues.

### Session 1 (1/30/14) - Introduction

- This overlong and over-pedantic syllabus.

### Session 2 (2/6/14) - Making and Assessing Arguments

- Anthony Weston, *A Rulebook for Arguments* (entire)

SNOW DAY 2/13/14

### **Session 3 (2/20/14) - Democracy in a World of Plural Values**

- Kwasi Wiredu, "Democracy and Consensus in Traditional African Politics," (<http://them.polylog.org/2/fw-en.htm>)
- Emmanuel Chukwudi Eze, "Democracy or Consensus?" (<http://them.polylog.org/2/fee-en.htm>)
- Amartya Sen, *The Idea of Justice*, ch. 15, "Democracy as Public Reason," ch. 16 "The Practice of Democracy" (pdf)
- C.L.R. James, "Every Cook Can Govern" (pdf)

### **Session 4 (2/27/2014) - The Policy-Makers: Obligations of Policy Actors**

- Rosemarie Tong, *Ethics in Policy Analysis* (pdf)

### **Session 5 (3/6/14) - The Policy-Targets: Obligations to Stakeholders**

- Andrew L. Friedman and Samantha Miles, *Stakeholders: Theory and Practice*, ch. 1 "Introduction," ch. 3 "Normative Stakeholder Analysis" (pdf)

## **Part II: The Person in Society**

One of the perennial questions of political philosophy is the correct relationship between the individual human being and her society. Does society serve the interests of the individual, or should the individual subordinate herself to the group? Is there anything outside the bounds of legitimate social control - your body, your mind? Should states relate to individuals only as individuals, blind to the other groups like gender and race that we find ourselves part of? Should society seek harmony with the natural world (and what would that *mean*) or should the environment be subject to our needs? These are not just philosopher's questions - policy makers face them when they decide which programs to create, which cultural practices to subsidize, how to define protected classes, and how to set the limits of taxation, among other things.

### **Session 6 (3/13/14) - Liberalism, Contract, and Rights**

- Judith Shklar, "The Liberalism of Fear" (pdf)
- Wendy McElroy, *Liberty for Women*, ch 1 "Introduction" (pdf)
- Amartya Sen, *The Idea of Justice*, ch. 17 "Human Rights and Global Imperatives" (pdf)
- Carole Pateman and Charles Mills, *Contract and Domination*, ch. 3 "The Domination Contract"(pdf)

## **March 20 - Spring Break - No Class**

### **Session 7 (3/27/14) - Communities and Communitarianism**

- Kwame Gyekye, *Tradition and Modernity*, ch. 2 "A Defense of Moderate Communitarianism" (pdf)
- Amilcar Cabral, "National Liberation and Culture," *Transition* 45 (1974) (ResearchPort)

- Selya Benhabib, *Another Cosmopolitanism* (excerpt) (pdf)
- Fareed Zakaria, "The ABCs of Communitarianism" *Slate* ([http://www.slate.com/articles/briefing/articles/1996/07/the\\_abcs\\_of\\_communitarianism.html](http://www.slate.com/articles/briefing/articles/1996/07/the_abcs_of_communitarianism.html))

### Session 8 (4/3/14) - Race, Gender, and Other Political Identities

- Cressida Heyes, "Identity Politics," *Stanford Encyclopedia of Philosophy* (<http://plato.stanford.edu/entries/identity-politics/>)
- Catherine MacKinnon, *Feminism Unmodified*, ch. 2 "Difference and Dominance" (pdf)
- Wendy McElroy, "What Does Affirmative Action Affirm?" (in *Liberty for Women*)
- MOSAIC ON IDENTITY POLITICS
  - Option 1: Race
    - Cheryl Harris, "Whiteness as Property," *Harvard Law Review* 106:8 (1993) (ResearchPort)
    - Juma Okuku, "Ethnicity, State Power, and the Democratisation Process in Uganda," Nordiska Afrikainstitutet Discussion Paper No. 17 (2002) (<http://nai.diva-portal.org/smash/get/diva2:241792/FULLTEXT01>)
  - Option 2: Gender
    - Virginia Held, *The Ethics of Care*, ch. 1 "The Ethics of Care as Moral Theory" (pdf)
    - Wendy Brown, "Finding the Man in the State," *Feminist Studies* 18:1 (1992) (ResearchPort)
    - Augustine Ikelegbe, "Engendering Civil Society: Oil, Women Groups, and Resource Conflicts in the Niger Delta Region of Nigeria," *The Journal of Modern African Studies* 43:2 (2005) (ResearchPort)
    - Marjorie Garber, "Spare Parts: The Surgical Construction of Gender," *differences* 1:3 (1989) (ResearchPort)
  - Option 3: Sexual Identity
    - Andrew Sullivan, "Here Comes the Groom: A (Conservative) Case for Gay Marriage," *The New Republic* 28 August 1989 (<http://www.newrepublic.com/article/79054/here-comes-the-groom>)
    - Claudia Card, "Gay Divorce: Thoughts on the Legal Regulation of Marriage," *Hypatia* 22:1 (2007) (ResearchPort)
    - Michel Foucault, "Friendship as a Way of Life," in *Ethics: Subjectivity and Truth* (pdf)
    - Henriette Gunkel, "I Myself Had a Sweetie... Re-Thinking Female Same-sex Intimacy Beyond the Institution of Marriage and Identity Politics" *Social Dynamics* 36:3 (2010) (ResearchPort)
  - Option 4: Intersections
    - bell hooks, *Where We Stand*, ch. 8 "Class and Race," ch. 9 "Feminism and Class Power," ch. 10, "White Poverty" (pdf)
    - bell hooks, *Talking Back*, ch. 17 "Homophobia in Black Communities" (pdf)

- Samantha Allen, "*CounterPunch* and the War on Transgender People," *Jacobin* 10 July 2013  
(<http://jacobinmag.com/2013/07/counterpunch-and-the-war-on-the-transgendered/>) - also click through to read the Brennan and Hungerford letter to the United Nations
- Iris Marion Young, "Difference as a Resource for Democratic Communication," in Bohman and Rehg (eds.), *Deliberative Democracy* (pdf)

### Session 9 (4/10/2014) - Citizenship

- Iseult Honohan, "Freedom as Citizenship," *The Republic* 2 (2001)  
(<http://theirelandinstitute.com/republic/02/pdf/honohan002.pdf>)
- Sigal Ben-Porath, "Citizenship as Shared Fate: Education for Membership in a Diverse Democracy," *Educational Theory* 62:4 (2012) (ResearchPort)
- Archon Fung, "Deliberation Before the Revolution," *Political Theory* 33:2 (2005)  
(<http://www.archonfung.net/papers/FungDeliberationBefore.pdf>)

### Session 10 (4/17/2014) - The Body in the State

- MOSAIC READINGS
  - Option 1: Reproduction
    - J.J. Thompson, "A Defense of Abortion," *Philosophy and Public Affairs* 1:1 (1971) (ResearchPort)
    - Serrin Foster, "The Feminist Case Against Abortion 2004," *The American Feminist* 11:2-3 (2004)  
(<http://www.feministsforlife.org/-taf/2004/summer-fall/Summer-Fall04.pdf>)
    - Sara Ruddick, *Maternal Thinking*, ch. 2 "Thinking About 'Mothers'" (pdf)
    - Anne Drapkin Lyerly *et al*, "Risk and the Pregnant Body," *Hastings Center Report* 39:6 (2009) (ResearchPort)
    - Laura Purdy, "Exporting the Culture of Life," in Michael Boylan (ed.) *International Public Health Policy and Ethics* (pdf)
    - Kathryn Edin and Joanna Reed, "Why Don't They Just Get Married? Barriers to Marriage Among the Disadvantaged," *The Future of Children* 15:2 (2005)  
([http://futureofchildren.org/futureofchildren/publications/docs/15\\_02\\_07.pdf](http://futureofchildren.org/futureofchildren/publications/docs/15_02_07.pdf))
  - Option 2: Drugs
    - Carl Hart, *High Price* (excerpt; pdf)
    - Jessica Flanigan, "Three Arguments Against Prescription Requirements," *Journal of Medical Ethics* 38:10 (2012) (ResearchPort)
    - Anita Allen, "Against Drug Use," in Tommy Lott (ed.), *Essays in Honor of Bernard Boxhill* (pdf)
    - Moises Naim, *Illicit*, ch. 4 "No Business Like Drug Business," ch. 12 "What to Do" (pdf)

- Option 3: Disability
  - Martha Nussbaum, *Frontiers of Justice*, ch. 2 "Disabilities and the Social Contract," ch. 3 "Capabilities and Disabilities" (pdf)
  - Janet Malek, "Deciding Against Disability," *Journal of Medical Ethics* 36:4 (2010) (ResearchPort)
  - Shelly Tremain, "On the Government of Disability," *Social Theory and Practice* 27:4 (2001) (ResearchPort)
- Option 4: Food
  - Tina Beuchelt and Detlef Virchow, "Food Sovereignty or the Right to Adequate Food?" *Agriculture and Human Values* 29:2 (2012) (ResearchPort)
  - Africa Progress Panel, *Africa Needs a Green Revolution*, September 2012 Policy Brief (<http://www.africaprogresspanel.org/policy-papers/africa-needs-a-green-r-evolution1/#.UlgVd3jUJ38>)
  - IRIN, "Countering Africa's Green Revolution," 8 July 2013 (<http://www.irinnews.org/report/98378/countering-africa-s-green-revolution>)
  - Daniel Block *et al*, "Food Sovereignty, Urban Food Access, and Food Activism," *Agriculture and Human Values* 29:2 (2012) (ResearchPort)
  - Jennifer Sumner, "Serving Social Justice: The Role of the Commons in Sustainable Food Systems," *Studies in Social Justice* 5:1 (2011) (<http://ojs.uwindsor.ca/ojs/leddy/index.php/SSJ/article/view/3114>)
- Option 5: Medicine
  - Atul Gawande, "The Obama Health Plan," *New York Times* 31 May 2007 ([http://www.nytimes.com/2007/05/31/opinion/31gawande.html?\\_r=0](http://www.nytimes.com/2007/05/31/opinion/31gawande.html?_r=0))
  - Atul Gawande, "Doctors, Drugs, and the Poor," *New York Times* 17 May 2007 (<http://www.nytimes.com/2007/05/17/opinion/17gawande.html>)
  - Holly Fernandez Lynch, "Religious Liberty, Conscience, and the Affordable Care Act," *Ethical Perspectives* 20:1 (2013) (pdf)
  - Ruth R. Faden *et al*, "An Ethics Framework for a Learning Health Care System," *Hastings Center Report* 43:1 (2013) (ResearchPort)
  - Michel Foucault, "The Birth of Social Medicine," in James D. Faubion (ed.), *Power* (pdf)

### **Session 11 (4/24/2014) - The Environment**

- Mark Sagoff, "Zuckerman's Dilemma," *Hastings Center Report* (September-October 1991) (ResearchPort)
- Elizabeth Cripps, "Climate Change, Collective Harm, and Legitimate Coercion," *Critical Review of International Social and Political Philosophy* 14:2 (2011) (pdf)
- Christopher Foreman, *The Promise and Peril of Environmental Justice*, ch. 1 "Challenges," ch. 2 "Foundations," ch. 3 "Involvement," ch. 6 "Prospects" (pdf)
- Christopher Foreman, "On Justice Movements: Why They Fail the Environment and the

Poor," *The Breakthrough* Winter 2013

(<http://thebreakthrough.org/index.php/journal/issue-3/on-justice-movements/>)

- Raymond Anthony, "Taming the Unruly Side of Ethics," *Journal of Agricultural and Environmental Ethics* 25:6 (2012) (ResearchPort)

### Part III: Violence

One of the key attributes of the state in traditional political theory is its monopoly on (legitimate) violence - and it is from this feature of states that many of the moral questions about policy ultimately flow. If states could only ask us nicely to do things, instead of enforcing their laws with weapons and devastating neighbors with war, they would be relatively innocuous. And in subtler ways, through their laws and social programs, security arrangements and economic systems, states determine who in society is exposed to which risks. Mainstream political theory assumes that we *need* states, despite their dangers. But those dangers require moral analysis, especially from people like policy analysts who will indirectly control state violence and coercion.

#### Session 12 (5/1/14) - Law and Punishment

- Judith Shklar, "Political Theory and the Rule of Law"
- Augustine of Hippo, *City of God* I.21  
(<http://etext.lib.virginia.edu/etcbin/toccer-new2?id=AugCity.xml&images=images/modeng&data=/texts/english/modeng/parsed&tag=public&part=22&division=div2>), *Letter 153* (to Macedonius) (pdf)
- MOSAIC READINGS
  - Option 1: Interpreting the Law
    - Linda Martín Alcoff, "Sotomayor's Reasoning," *Southern Journal of Philosophy* 48:1 (2010) (ResearchPort)
    - Alberto Gonzales, *Prepared Remarks at the University of Chicago Law School November 9, 2005*  
([http://www.justice.gov/archive/ag/speeches/2005/ag\\_speech\\_0511092.html](http://www.justice.gov/archive/ag/speeches/2005/ag_speech_0511092.html))
    - Clarence Thomas, "Judging in a Government by Consent," speech to the Manhattan Institute, 16 October 2008  
(<http://www.manhattan-institute.org/video/index.htm?c=10-16-2008%20Wriston%20-%20Judging%20Government%20Consent> - Justice Thomas' speech runs from 16:37 to 55:23)
    - Martin Luther King, Jr. "Letter from Birmingham Jail"  
(<http://www.thekingcenter.org/archive/document/letter-birmingham-city-jail-0#>)
  - Option 2: Policing
    - David Thacher, "Equity and Community Policing: A New View of Community Partnerships," *Criminal Justice Ethics* 20:1 (2001) (ResearchPort)

- Alice Hills, "Security as a Selective Project," *Studies in Social Justice* 3:1 (2009) (<http://ojs.uwindsor.ca/ojs/leddy/index.php/SSJ/article/view/627>)
- Shira A. Scheindlin, *David Floyd, Lalit Clarkson, Deon Dennis, and David Ourlicht v. The City of New York: Opinion and Order* (Introduction and Executive Summary: the rest is optional) (<http://online.wsj.com/public/resources/documents/nystop0812.pdf>)
- "Court Blocks Stop-and-Frisk Changes for New York Police" [http://www.nytimes.com/2013/11/01/nyregion/court-blocks-stop-and-frisk-changes-for-new-york-police.html?\\_r=0](http://www.nytimes.com/2013/11/01/nyregion/court-blocks-stop-and-frisk-changes-for-new-york-police.html?_r=0)
- Option 3: Incarceration
  - Atul Gawande, "Hellhole," *The New Yorker* 30 March 2009 ([http://www.newyorker.com/reporting/2009/03/30/090330fa\\_fact\\_gawande](http://www.newyorker.com/reporting/2009/03/30/090330fa_fact_gawande))
  - Michelle Alexander, "The New Jim Crow," *The American Prospect* 22:1 (2011) (ResearchPort)
  - Jody Sokolower (interviewing Michelle Alexander), "Schools and the New Jim Crow," *Truthout* 4 June 2013 (<http://truth-out.org/news/item/16756-schools-and-the-new-jim-crow-an-interview-with-michelle-alexander>)
  - Earl Smith and Angela J. Hattery, "African-American Men and the Prison-Industrial Complex," *Western Journal of Black Studies* 34:4 (2010) (ResearchPort)
  - James Forman, Jr., "Racial Critiques of Mass Incarceration: Beyond the New Jim Crow," *NYU Law Review* 87:21 (2011) (ResearchPort)

### **Session 13 (5/8/14) - Poverty**

- Walter E. Williams, "The Argument for Free Markets: Morality vs. Efficiency," *Cato Journal* 15:2-3 (1995) (ResearchPort)
- Elizabeth Anderson, "What is the Point of Equality?" *Ethics* 109:2 (1999) (ResearchPort)
- Martin Luther King, Jr., *Speech to the AFSCME Mass Meeting 18 March 1968* (pdf)
- Megan McArdle, "Unions Organize Wal-Mart Protests; Rest of the Nation Goes Shopping," *The Daily Beast* 23 November 2012 (<http://www.thedailybeast.com/articles/2012/11/23/unions-organize-walmart-protests-rest-of-the-nation-goes-shopping.html>)
- Matthew Yglesias, "Wal-Mart Could Easily Pay (Somewhat) More to its Associates," *Slate* 26 November 2012 ([http://www.slate.com/blogs/moneybox/2012/11/26/walmart\\_wages\\_they\\_could\\_be\\_higher.html](http://www.slate.com/blogs/moneybox/2012/11/26/walmart_wages_they_could_be_higher.html))

### **Session 14 (5/15/14) - War and Terror - NOTE SPECIAL CLASS TIME 1PM-3:30PM**

- Jean Bethke Elshtain, *Just War Against Terror*, ch. 3 "What is a Just War?" ch. 4 "Is the War Against Terror Just?" (pdf)
- Virginia Held, *How Terrorism is Wrong*, ch. 1 "Terrorism and War," ch. 7 "The Moral

Assessment of Violence and Terrorism" (pdf)

- Judith Bulter, *Precarious Life*, ch. 2 "Violence, Mourning, Politics" (pdf)
  - Frantz Fanon, *The Wretched of the Earth*, ch. 1 "On Violence" (pdf)
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## Appendix A: Master Course Calendar

Date	Topic	Notes
1/30/14	Introduction	
2/6/14	Arguments	
2/13/14	SNOW DAY	Create presentation groups; initial moral network due
2/20/14	Democracy and Value Pluralism	First draft of memo #1 due
2/27/14	Obligations of Policy-Makers	Peer comments on memo #1 due
3/6/14	Obligations to Policy-Targets	Final draft of memo #1 due
3/13/14	Liberalism/Contract/Rights	Sign up for identities mosaic
3/20/14	Community	SPRING BREAK
3/27/14	NO CLASS	First draft of memo #2 due; mosaic discussion.
4/3/14	Political Identities	Peer comments on memo #2 due; sign up for body mosaic
4/10/14	Citizenship	Final draft of memo #2 due; mosaic discussion
4/17/14	The Body	Sign up for law mosaic.
4/24/14	The Environment	Mosaic discussion
5/1/14	Law and Punishment	First draft of memo #3 due; revised moral network due
5/8/14	Poverty and Exploitation	Peer comments on memo #3 due

5/15/14	War and Terror	Final draft of memo #3 due.
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**Please note:** All written assignments are due *by email* by 11:59PM on the date listed. Late assignments without prior arrangement will be docked a half-letter-grade after one day, a full grade after two, and not accepted after one week (emergencies excepted, of course). Please send assignments in \*.doc, \*.pdf, \*.tex, \*.txt, \*.odt, or \*.rtf format if possible. \*.docx files (Word 2010) are acceptable, but a pain in my butt.

## Appendix B: Further Readings

Whenever I construct a syllabus, I come across many more interesting pieces than I can reasonably ask you to read. Yes, indeed, the reading list above represents me *paring down* what I would ask you to read. None of these are required reading, but if you are interested in digging deeper into the issues we discuss in class, they may be worthwhile reads. There is no rhyme or reason to them or attempt to balance between different topics; this is a serendipitous list. I will put up scans of and link to things here from Canvas when I have a chance, but my priority in building our online library is the required readings; if you want something here that you can't find on your own and I haven't put up, please contact me.

### Democracy and Value Pluralism

- Kwame Anthony Appiah, *Cosmopolitanism*, ch. 4 "Moral Disagreement," ch. 5 "The Primacy of Practice" (pdf)
- Xavier De Sousa Briggs, *Democracy as Problem-Solving*
- Amy Gutmann and Dennis Thompson, *Why Deliberative Democracy?*
- Christine Korsgaard, *Creating the Kingdom of Ends*, ch. 7 "Creating the Kingdom of Ends," ch. 10 "The Reasons We Can Share"
- Helen Lauer, "Wiredu and Eze on Good Governance," *Philosophia Africana* 14:1 (2012)
- Alain Locke, "Values and Imperatives" in Charles Molesworth and Henry Louis Gates, Jr. (eds), *The Works of Alain Locke*
- Amartya Sen, *The Idea of Justice*, chs. 3-6, 8-9

### Obligations of Policy Actors

- Rosemary O'Leary, *The Ethics of Dissent: Managing Guerrilla Government*

### Liberalism, Contract, and Rights

- Wendy Brown, "The Most We Can Hope For...", *South Atlantic Quarterly* 103:2-3 (2004)
- Charles Mills, *The Racial Contract*
- Carole Pateman, *The Sexual Contract*
- Carole Pateman and Charles Mills, *Contract and Domination*

### Political Identities, Race, Gender, Etc.

- Linda Martín Alcoff, "Who's Afraid of Identity Politics?" in Paula Moya and Michael Hames-Garcia, *Reclaiming Identity* (<http://www.alcoff.com/content/afraidid.html>)
- Michel Foucault *et al*, "The Gay Science"; and, David M. Halperin "Michel Foucault, Jean Le Bitoux, and The Gay Science Lost and Found: An Introduction," *Critical Inquiry* 37:3 (2011)
- Neil Gotanda, "A Critique of 'Our Constitution is Color-Blind,'" *Stanford Law Review* 44:1 (1991)
- C.L.R. James, *The Black Jacobins*, "Appendix: From Toussaint L'Ouverture to Fidel Castro"
- Susan Moller Okin, "Political Liberalism, Justice, and Gender," *Ethics* 105:1 (1994) (ResearchPort)
- Catharine MacKinnon, *Are Women Human?*, ch. 5 "Postmodernism and Human Rights," ch. 13 "Sex Equality Under the Constitution of India"
- Adrienne Rich, "Compulsory Heterosexuality and Lesbian Existence," *Signs* 5:4 (1980) (ResearchPort)
- Carole Pateman and Charles Mills, *Contract and Domination*, ch. 6 "Intersecting Contracts" (pdf)
- Dean Spade, "The Only Way to End Racialized Gender Violence in Prisons is to End Prisons," *California Law Review* 18 December 2012 (<http://www.californialawreview.org/articles/the-only-way-to-end-racialized-gender-violence-in-prisons-is-to-end-prisons-a-response-to-russell-robinson-s-masculinity-as-prison>)

### Citizenship

- Hannah Arendt, *Between Past and Future*, ch. 4 "What is Freedom?"
- Iseult Honohan, "Dealing with Difference: The Republican Public-Private Distinction," in M. Bagrahamian and A. Ingram (eds.), *Pluralism* ([http://www.academia.edu/458920/DEALING\\_WITH\\_DIFFERENCE\\_The\\_Republican\\_Public-Private\\_Distinction](http://www.academia.edu/458920/DEALING_WITH_DIFFERENCE_The_Republican_Public-Private_Distinction))

### The Body

- Atul Gawande, "Letting Go," *The New Yorker* 2 August 2010 ([http://www.newyorker.com/reporting/2010/08/02/100802fa\\_fact\\_gawande](http://www.newyorker.com/reporting/2010/08/02/100802fa_fact_gawande))
- Michel Foucault, *The Birth of the Clinic*
- Lisa Heldke, "An Alternative Ontology of Food: Beyond Meataphysics," *Radical Philosophy Review* 15:1 (2012)
- Josée Johnston and Michelle Szabo, "Reflexivity and the Whole Foods Market Consumer," *Agriculture and Human Values* 28:3 (2011)
- Rebecca Kukla, "Measuring Mothering," *International Journal of Feminist Approaches to Bioethics* 1:1 (2008)
- Chaone Mallory, "Locating Ecofeminism in Encounters with Food and Place," *Journal of Agricultural and Environmental Ethics* 26:1 (2013)
- Laura Purdy, "What Religious Ethics Can and Can't Tell Us About Reproduction and Sexuality," *Reproductive BioMedicine Online* 17 (supp. 3) (2008)

## The Environment

- Nina Höing and Jona Razzaque, "Unacknowledged and Unwanted? 'Environmental Refugees' in Search of Legal Status," *Journal of Global Ethics* 8:1 (2012) (ResearchPort)
- Carol Booth, "Bystanding and Climate Change," *Environmental Values* 21:4 (2012)
- Chen Xia and Martin Schönfield, "A Daoist Response to Climate Change," *Journal of Global Ethics* 7:2 (2011)
- Chris J. Cuomo, "Climate Change, Vulnerability, and Responsibility," *Hypatia* 26:4 (2011)
- Trish Glazebrook, "Women and Climate Change: A Case Study from Northeast Ghana," *Hypatia* 26:3 (2011)
- Ernesto O. Hernández, "Climate Change and Philosophy in Latin America," *Journal of Global Ethics* 7:2 (2011)
- Workineh Kelbessa, "Indigenous and Modern Environmental Ethics: Towards Partnership," *Thought and Practice in African Philosophy* (2002) (pdf)
- S. Matthew Liao, *et al*, "Human Engineering and Climate Change," *Ethics, Policy, and the Environment* 15:2 (2012)
- N. Onyekuru and Rob Marchant, "Nigeria's Response to the Impacts of Climate Change: Developing Resilient and Ethical Adaptation Options," *Journal of Agricultural and Environmental Ethics* 25:4 (2012)
- Ibo Van de Poel, *et al*, "The Problem of Many Hands: Climate Change as an Example," *Science and Engineering Ethics* 18:1 (2012)

## Law and Punishment

- Kylie Bourne, "Commanding and Controlling Protest Crowds," *Critical Horizons* 12:2 (2011)
- Jean Comaroff and John Comaroff, "Criminal Obsessions, after Foucault: Postcoloniality, Policing, and the Metaphysics of Disorder," *Critical Inquiry* 30:4 (2004)
- Angela Davis and Gina Dent, "Conversations: Prison as a Border," *Signs* 26:4 (2000)
- Arlene Eisen, *Operation Ghetto Storm* (<http://mxgm.org/wp-content/uploads/2013/04/Operation-Ghetto-Storm.pdf>)
- Celia B. Fisher, "Human Rights and Psychologists' Involvement in Assessments Related to Death Penalty Cases," *Ethics & Behavior* 23:1 (2013) (pdf)
- James Forman, Jr., "Why Care About Mass Incarceration?," *Michigan Law Review* 108 (2010) (<http://www.michiganlawreview.org/assets/pdfs/108/6/forman.pdf>)
- Michel Foucault, *Discipline and Punish*
- Loic Wacquant, "The New 'Peculiar Institution': On the Prison as a Surrogate Ghetto," *Theoretical Criminology* 4 (2000)
- Tobias Winright, "The Perpetrator as Person: Theological Reflections on the Just War Tradition and the Use of Force by Police," *Criminal Justice Ethics* 14:2 (1995)

## Poverty

- Hasan Zafar Arif, "Moral Corrosion in Poverty Culture," *Philosophy and Social Action* 5 (1979)

- *Financial Times Arena: Is Aid Working?*  
(<http://blogs.ft.com/arena/2009/06/01/is-aid-working/#axzz2ckHWFsiM>)
- Atul Gawande, "The Human Cost of Crippling Castro," *Slate* 1 May 1998  
([http://www.slate.com/articles/health\\_and\\_science/medical\\_examiner/1998/05/the\\_human\\_cost\\_of\\_crippling\\_castro.html](http://www.slate.com/articles/health_and_science/medical_examiner/1998/05/the_human_cost_of_crippling_castro.html))
- bell hooks, *Where We Stand*, ch. 11 "Solidarity with the Poor"
- Stephen Pimpare, "An African-American Welfare State," *New Political Science* 29:3 (2007)
- Olivia Rutazibwa, "What if We Took Autonomous Recovery Seriously?", *Ethical Perspectives* 20:1 (2013) (pdf)
- Walter E. Williams, *The State Against Blacks*
- Naomi Zack, "Violence, Poverty, and Disaster: New Orleans, Haiti, and Chile," *Radical Philosophy Review* 15:1 (2012)

### War and Terror

- Augustine of Hippo, *Contra Faustum Manichaeum*, Book Twenty-Two
- Judith Butler, *Frames of War*
- Claudia Card, "Recognizing Terrorism," *Journal of Ethics* 11:1 (2007)
- Martin Luther King, Jr. "Why I am Opposed to the War in Vietnam"  
(<http://www.youtube.com/watch?v=b80Bsw0UG-U>)
- Sarah Ruddick, *Maternal Thinking*, Part III "Maternal Thinking and Peace Politics"
- Elaine Scarry, *The Body in Pain*, ch. 1 "The Structure of Torture," ch. 2 "The Structure of War"
- Fernando R. Téson, "The Liberal Case for Humanitarian Intervention," FSU College of Law Public Law Research Paper No. 39 (2001)  
([http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=291661](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=291661))

### Appendix C: Some Principles for Class Discussion

Mostly, class discussions, whether as large or small groups, will be run under the assumption that you are all adults and can interact with each other civilly and professionally. But here are some things to keep in mind:

- Disagreement is healthy and encouraged! All of the readings we are tackling have their own perspective. Nothing said by any of the authors we will read, let alone anything said by me, is sacrosanct and beyond criticism. Look for opportunities to engage with other students who hold views with which you disagree (so long as they are on topic for the class, of course).
- Agreement is healthy and encouraged! Not all disagreements need to end with a winner (or even an "agreement to disagree"). Many times, policy disagreements coexist with deeper agreements (or partial agreements) on matters of principle. In discussing things with your classmates, you should actively seek out and explore common ground, and

how you can use it to find principled compromises on policy issues and deeper understanding of your interlocutors. This is not just a hippie philosopher love-in principle: in the policy world, you will often find yourself working with people with whom you do not agree, and finding common ground will often be valuable.

- Be respectful of others. Remember that you are attacking arguments not people, when you disagree with someone.
- Be wary of speech that may be offensive to others, especially including speech that invokes race, gender, class, disability, or sexual orientation in a derogatory manner.
- Conversely, if you are inclined to be offended by someone's comment, first try to read it charitably. Everyone should be given the benefit of the doubt that they meant their comments as a sincere contribution to discussion, and not to cause offense – you should be able to understand and engage with views that you find morally mistaken without taking them as personal attacks.

## Appendix D: Honor Code

Let me add my own, specific, extra warning to this: **plagiarism will not be tolerated**. If you are using someone else's words, *they need to be in quotation marks (or otherwise clearly marked) and attributed*. If you are paraphrasing someone, at the **very least the source needs to be listed in your reference list**. Factual claims *must be sourced unless they are common knowledge* (the Earth is round, the US Civil War was 1860-5, etc.). I have in the past had some students say that they were not aware that these were the rules; this is general good scholarly practice, but now you have been explicitly told as well.

Without further ado, here's the University's code:

*The University of Maryland, College Park has a nationally recognized Code of Academic Integrity, administered by the Student Honor Council. This Code sets standards for academic integrity at Maryland for all undergraduate and graduate students. As a student you are responsible for upholding these standards for this course. It is very important for you to be aware of the consequences of cheating, fabrication, facilitation, and plagiarism. For more information on the Code of Academic Integrity or the Student Honor Council, please visit <http://www.shc.umd.edu>.*

*To further exhibit your commitment to academic integrity, remember to sign the Honor Pledge on all examinations and assignments: "I pledge on my honor that I have not given or received any unauthorized assistance on this examination (assignment)."*

## Appendix E: Creative Commons License

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