I. Introduction

This course will provide students the ability systematically to evaluate ethically controversial public policy issues using concepts from normative political theory. We consider five overarching questions:

- Should public officials be responsible to universal laws of morality?
- By what criteria do we evaluate the ends of public policy?
- Are the intentions and internal psychological state of public officials morally relevant?
- How do we evaluate moral choices when outcomes depend on the decisions of more than one individual?
- Can there be such things as morally efficacious political institutions?

In the first half of the course, we consider the means by which policy is implemented: Under what conditions, if any, might we permit political actors to “do bad in order to do good?” In the second half, we consider the ends of public policy: What is it we want the state to accomplish, and at what cost? Topics for this semester include the decision to drop the atomic bomb in World War II, the treatment of terror suspects and captured enemy combatants, lying in office, racial profiling, environmental policy, social welfare policy, capital punishment, international intervention in humanitarian crises, and collective responsibility in office.

II. Contact and Meeting Information

Professor Sanford Clark Gordon
726 Broadway, rm. 718
Office Hours: Wednesday 2-4pm, or by appointment
Phone: (212) 998-3708
E-mail: sanford.gordon@nyu.edu
Web: http://www.nyu.edu/gsas/dept/politics/faculty/gordon/gordon_home.html
Class Meetings
Mondays and Wednesdays, 9:30-10:45AM, Silver Center 712

III. Required Readings

The following books are available for purchase at the University bookstore:

- Niccolo Machiavelli, The Prince (NM)
- Dennis Thompson, Political Ethics and Public Office (DT)
- Michael Walzer, Just and Unjust Wars (MW)
• David Rieff, *A Bed for the Night* (DR)
• John Stuart Mill, *On Liberty* (JSM)

A COURSE PACKET (PK) with other required material is available for purchase at New University Copy and Graphics (11 Waverly Place).

**IV. Student Responsibilities and Course Grading**

Much of the point of this course is to get you to ARGUE about public policy in a meaningful way. Whether in class discussion or in an examination, you will be expected to take distinct positions and defend them to the best of your ability.

**Formal Course Requirements**

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<tr>
<th>Component</th>
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<tr>
<td>Classroom participation</td>
<td>10%</td>
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<tr>
<td>Midterm Examination</td>
<td>35%</td>
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<tr>
<td>Final Examination</td>
<td>55%</td>
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The most significant difference between this class and others you may have taken is its frequent reliance on discussions of case studies. Our discussions will often revolve around an ethically controversial public policy, and the application of various principles from political theory to the issue. Sometimes, I will distribute questions for you to consider carefully in advance of our discussions. You will be called on to participate actively in discussions about those questions. The reading load for this course is relatively light, but it is absolutely essential that readings be done in time for each class session. Demonstrating mastery of the assigned readings will be critical.

**Midterm Examination**

The Exam will be held on March 9. It will be a combination of essays and short answers.

**Final Examination**

The final examination will be held on Wednesday, May 4, from 10-11:50am.

**Policy on missed exams**

Exceptions in emergency situations are inevitable, but in general, students missing an exam will receive a grade of zero. If you must miss an exam, please contact me before the scheduled test time, and if the excuse is justified (such as in cases of illness or family/personal emergencies), we will schedule a make-up.

**Policy on petitions for grade reconsiderations**

You are within your rights to request that a grade be reconsidered. Please note that following a petition for re-grading, I will look at an exam de novo, meaning that the potential consequence of such a petition is a grade lower than that originally given. If you feel you were graded unfairly, write up your reasons for this perception in a memorandum consisting of no more than two paragraphs, and either come to my office hours or schedule an appointment with me to discuss.

**V. Academic Integrity**

All of the work you do in this course is expected to be your own. *Absolutely no cheating or plagiarism* (using someone else’s words or ideas without proper attribution) *will be tolerated*. All ideas not your own must be properly cited. Any cases of cheating or plagiarism will be handled according to university policy. For more information on university policy, see http://cas.nyu.edu/object/bulletin.ug.academicpolicies.html.
VI. Weekly Schedule

Part A. Preliminaries

Week 1. January 19
Speaking Truth and Justice to Power: Is This Course an Oxymoron?

Week 2. January 24, 26
Deontology and Intentionality
- Immanuel Kant, selections from *Groundwork of the Metaphysic of Morals* (PK)

Week 3. January 31, February 2
Consequentialism and Strategy
- Niccolo Machiavelli, “XV. The Things for which Men, and Especially Princes, are Praised or Blamed,” in *The Prince* (NM)

Part B. Means

Week 4. February 7, 9
Violence I. Dropping the atomic bomb
- Michael Walzer, *Just and Unjust Wars*, chs. 1-3, 8, 9, 16 (MW)
- Colin Dueck, “Alternatives to the Bomb,” and editors’ comment. In Gutmann and Thompson, pp. 16-26 (PK)

Week 5. February 14, 16
Violence II. Terrorism and response
- Michael Walzer, *Just and Unjust Wars*, chs. 12, 19 (MW)
- Niccolo Machiavelli, “VIII. Those Who Come to Power by Crime,” and “XVII Cruelty and Compassion; and Whether it is Better to be Loved than Feared, or the Reverse,” in *The Prince* (NM)
- United States Department of Justice, Office of Legal Counsel, “Memorandum for Alberto R. Gonzales, Counsel to the President, Re: Standards of Conduct for Interrogation under 18 U.S.C. §§ 2340-2340A” (PK)
• Holly Burkhalter, “No to Terrorism.” *The Washington Post*, January 5, 2003 (PK)

Week 6. **February 21, 23**

*Deception: When Should Leaders Lie?*

• Niccolo Machiavelli, “XVIII. How Rulers Should Keep their Promises,” in *The Prince* (NM)

Week 7. **February 28, March 2**

*Procedural Fairness: The Case of Racial Profiling*


Week 8. **March 7, 9**

*March 7: Catch Up and Review for Midterm Exam*
*March 9: Midterm Exam*

Week 9. **March 14, 16**

*Spring Break -- No Class*

**Part C. Ends**

Week 10. **March 21, 23**

*Utilitarianism, Efficiency, and the Regulation of Externalities*

• Robert Goodin, “Utilitarianism as a Public Philosophy,” in *Utilitarianism as a Public Philosophy* (1995), pp. 3-27 (PK)
• Linda Kincaid, “Saving the Tuolomne,” and editors’ comment. In Gutmann and Thompson, pp. 203-221 (PK)

Week 11. March 28, 30
Distributive Justice
• John Rawls, selections from A Theory of Justice, pp. 60-83 (PK)
• Amartya Sen, “Equality of What?” (PK)
• Charles Fried, “Equality and Rights in Medical Care,” Hastings Center Report (February 1976), pp. 29-34 (PK)
• Mark Stein, “The Distribution of Life-Saving Medical Resources: Equality, Life Expectancy, and Choice Behind the Veil.” Social Philosophy and Policy 19(2), 212-245 (PK)
• Pamela Varley, “Defunding Organ Transplants in Arizona.” In Gutmann and Thompson, pp. 239-254 (PK)

Week 12. April 4, 6
Paternalism
GUEST PARTICIPANT: PROFESSOR LAWRENCE MEAD
• John Stuart Mill, On Liberty, chs. 1,4,5 (JSM)
• Dennis F. Thompson, “Paternalistic Power.” Chapter 6 of Political Ethics and Public Office (DT)

Week 13. April 11, 13
Punishment
• G.W.F. Hegel, “Wrong,” in Philosophy of Right, 64-74 (PK)
• Additional readings on recent developments in sentencing (to be determined)
Part D. Incentives

Week 14. April 18, 20
Moral Hazard and Good Intentions
- David Rieff, *A Bed for the Night: Humanitarianism in Crisis*, selections

Week 15. April 25, 27
Accountability in Organizations
- Niccolo Machiavelli, “XIX. The Need to Avoid Contempt and Hatred,” and “XXI. How a Prince Must Act to Win Honor,” in *The Prince* (NM)
- Dennis F. Thompson, *Political Ethics and Public Office*, chs. 1-3 (DT)
- Don Lippincott, “George Schultz and the Polygraph Test.” In Gutmann and Thompson, pp. 171-177 (PK)
- Taeku Lee, “George Schultz and the Iran Contra Affair,” and editors’ comment. In Gutmann and Thompson, pp. 177-185 (PK)
- Seymour M. Hersh, “Torture at Abu Ghraib.” *The New Yorker*, May 10, 2004 (PK)

Week 16. May 2, 4
May 2: Wrapping Up
May 4: Final Examination, 10:00-11:50AM (room to be determined)