ADMINISTRATIVE ETHICS AND JUSTICE

Mailing Address: Division of Public Administration, P.O. Box 6322, Morgantown, WV 26506
Telephone: (304) 293-2614 (ext. 5253); Fax (304) 293-8814
E-mail Address: gpops@wvu.edu

Introduction and Overview:

This graduate seminar is designed to promote awareness of and reflection upon the normative dimensions of administrative decision-making in government settings. Normative questions arise constantly in both the policy and administrative dimensions of public administration and are crucially important, but get little systematic attention. It is my hope and belief, finding expression in this course, that if graduate students can be conditioned to look for ethical issues, and to analyze them systematically in the classroom setting, they will be better prepared to discover and deal with them in the organizational world.

The student will be asked to analyze administrative decision situations for their ethical content, recognize ethical dilemmas when they arise, learn and be able to apply (in a rudimentary way) various common guidelines for resolution, and address strategic and procedural aspects of working through ethical problems in practice settings. I cheerfully admit to certain biases in the way I have structured the course. Most, perhaps all of us, share a culture, (a liberal university education, individual freedoms, Judeo-Christian religious teachings, attitudes about property, Anglo-American legal institutions, and so forth) which elevates certain values and internalizes them within us. These values need to be made explicit: democratic governance, justice and fairness, constitutionalism and due process, tolerance of differing life styles and social diversity, are included and are very relevant to the way we approach the public service.

Requirements and Grading:

Analysis of cases (40%)

Paper (30%)

Reports on principled reasoning approaches (20%)

General participation, attendance included (10%)

Important note: The class is designed to be a seminar experience for adult learners. In this model, each student is expected to have read and grappled with the written material in the assignments prior to class, to attend all classes, to participate fully in the class discussion relating to the readings, and to share in performing in-class group projects that teach the application of personnel concepts.
**Readings:**

Four books are required:


Additionally, you may wish to consult other, more or less comprehensive, texts in the field, including:

- Terry L. Cooper (editor), *Handbook of Administrative Ethics* (Marcel Dekker, 1994)
- E. K. Kellar (editor), *Ethical Insight, Ethical Action* (ICMA, 1988)

See the course bibliography for a more complete listing.

**Policy on Non-Discrimination:**

I expect to maintain a positive learning environment based upon open communication, mutual respect, and non-discrimination. Virginia Tech does not discriminate on the basis of race, sex, age, disability, veteran status, religion, sexual orientation, color, or national origin. Any suggestions as to how to further such a positive and open environment in this class will be appreciated and given serious consideration. If you are a person with a disability and anticipate needing any type of accommodation in order to participate in this class, please advise me and make appropriate arrangements with the proper office of disability services at Virginia Tech.

**Policy on Original Work:**

The question sometimes arises as to whether a paper or other work submitted in another class, or work done with another student or students, can be submitted to meet course requirements. The policy of the department is that papers, presentations and other submitted work must be original for
the specific course and for each student. Students may build on work and topics developed previously or in other courses as long as substantially distinct efforts and analysis are involved (for example, a bibliography previously developed for another paper may be used). In questionable situations, consult the instructor and follow the advice you are given.

Working together in sharing ideas, developing common approaches to answer examination questions, and reviewing material is encouraged; but when you start writing an analysis, report, or paper that will be submitted for evaluation, work alone.

Topical Outline and Schedule

I. Administrative Ethics - General Features  
   Sessions 1, 2
   
   Alligator River exercise
   Luke (Bowman)
   Lilla, Reader
   Levine, “When Catsup Was a Vegetable” (handout)

II. Framework For Analysis  
   Session 3
   
   Pops essay (handout)

III. Administrative Discretion, Role and Responsibility  
   Session 4
   
   K.C. Davis, Discretionary Justice (recommended)
   Thompson, Reader
   Stewart, Reader
   Friedrich, Reader
   Finer, Reader

IV. Mapping Ethical Dilemmas  
   Sessions 5, 6
   
   Cases—Welfare Eligibility, Snowstorm, Brubaker (film)
   Marini, Reader (Case: Antigone)

V. Guidelines for Principled Reasoning  
   Sessions 7, 8
   
   A. Intuition vs. Principled Reasoning
      1. Serpico (video)
      2. Other exemplars (Wright and Cooper, recommended)
B. Principled Reasoning—Various Approaches

1. General Reasoning Patterns
   Deontological and Teleological Reasoning
   Ethics in PA—Leys, Bailey, and Lane, Reader
   On Justice—Deutsch and Frankena, Reader

2. Specific Approaches
   Codes of Ethics and Ethics Laws—Chandler, Reader (required) and Reynolds (recommended)
   Fairness—Rawls, Reader
   Social Equity—Hart, Reader
   Compassion—Frederickson and Hart, Reader
   Ethics of Virtue—Cooper, Reader
   Action—Harmon, Reader
   Casuistry
   Regime Values—Rohr, Reader (Rohr, *Ethics for Bureaucrats* is recommended)
   Utilitarianism
   Public Choice Theory—Buchanan and Tullock (recommended)
   Citizenship—McSwain, Reader
   Administrative Justice—Pops (in Bowman), Walker/Lind/Thibaut, Reader

3. Communitarian Reasoning

   Session 9

   Etzioni

4. Case Application—Organ Transplant

VI. Strategic Choices and the Ethics of Process

   Sessions 10, 11

   Administrative Law Model—Pops/Pavlak (recommended)
   Openness vs. Secrecy—Cleveland, Reader
   Exit, Voice, and Dissent—Bok, Reader, Hirschman (recommended)
   Citizen Involvement
   Negotiation—Zartman (recommended), Fisher and Ury (recommended)
   Administrative Advocacy

VII. Follow-up, Student Presentations

   Sessions 12-15
Articles Collected in “Normative Foundations Reader”

Friedrich, C.J. “Public Policy and the Nature of Administrative Responsibility.”
Finer, H. “Administrative Responsibility in Democratic Government.”
   [In *Politics of the Federal Bureaucracy*, (A. Altshuler), Dodd & Mead, New York, 1968]
Stewart, D.W. “The Moral Responsibilities of Individuals in Public Sector Organizations,” and
Thompson, D.F. “The Possibility of Administrative Ethics.”
   [In *Ethical Insight, Ethical Action*, (E.K. Kellar), International City Management Association, 1988]
Rawls, J. “Justice as Fairness.”
   [In *Philosophy of Law* (J. Feinberg and H. Gross), Dickenson, Encino, CA, 1975]
Frankena, W.K., “Some Beliefs About Justice.”
   [In *Philosophy of Law* (J. Feinberg and H. Gross), Dickenson, Encino, CA, 1975]

WEST VIRGINIA UNIVERSITY