

**Political Science 304**  
**Ethics and Public Policy**  
**The Ethics of Torture, Death, and Deprivation**

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*Course Description: This is a course that will give students the basic knowledge of contemporary approaches to public policy evaluation. It reflects the economic-basis of many of the policy debates, and provides critical tools to evaluate the ethical implications of specific policy positions. After examining contrary views of the appropriate role of government, we will focus on five key public policy goals: efficiency, security, rights, welfare, and equity. Each domain of public policy initiative is discussed in terms of the contested issues of private property rights (eminent domain); appropriate costs for “the war on terror;” civil liberties and human rights (torture and enemy combatant status); social welfare (public medical care); and the value of a human life. This course is designed to lay a theoretical foundation for students who will go on to study law, public policy, and business.*

**Course Requirements**

1. You must complete the readings in a timely fashion and participate actively in class discussions. To encourage you to prepare well for class, we will have a series of short, unannounced quizzes based on course readings. Together, these quizzes count for 30% of your grade.
2. You will write an in-class mid-term exam, and an in-class final exam. Their weights will be 30% and 40%, respectively.

**Course Materials**

Course readings for Political Science 304 are available online through Carmen.

## Academic Honesty

All of the work that you do in this course is expected to be your own. Plagiarism (using someone else's words or ideas without citing them) and other forms of cheating will be reported to the university committee on academic misconduct and handled according to university policy.

## **Disabilities**

Students with disabilities that have been certified by the Office for Disability Services will be appropriately accommodated and should inform the instructor as soon as possible of their needs. The office for Disability Services is located in 150 Pomerene Hall, 1760 Neil Avenue; telephone 292-3307, TDD 292-0901; <http://www.ods.ohio-state.edu>

## **Course Syllabus and Schedule of Class Meetings**

### **INTRODUCTION AND OVERVIEW**

#### Thursday, January 3

D. Stone, "The Market and the Polis," in *Policy Paradox: The Art of Political Decision Making* (London: W.W. Norton, 2002), 17-34.

#### Tuesday, January 8

E. Anderson, "The Ethical Limitations of the Market," in C. Wilbur, ed., *Economics, Ethics, and Public Policy* (Oxford: Rowman & Littlefield, 1998), 223-249.

### **PART I: THE PROPER ROLE OF GOVERNMENT DEBATED**

#### Thursday, January 10: Justice as Wealth-Maximization

R. Posner, "The Law and Economics Movement," *American Economic Review*, 77:1-13 (1987).

R. Posner, "The Economic Approach to Law," *Texas Law Review* 53: 757-782 (1975).

Tuesday, January 15: Justice as Fairness

J. Rawls, *A Theory of Justice* (Oxford: Oxford UP, 1971), 1-34; 54-82.

Thursday, January 17: Justice as Due-Process

R. Nozick, *Anarchy, State and Utopia*, 26-35, 149-60.

R. Riker, *Liberalism against Populism: A Confrontation between the Theory of Democracy and Social Choice* (San Francisco: Freeman, 1982), 180-220.

Tuesday, January 22: Utilitarian vs. Deontological Justice

D. Hausman and M. McPherson, "Utilitarianism and Consequentialism," in *Economic Analysis, Moral Philosophy, and Public Policy*, 2<sup>nd</sup> ed. (Cambridge: Cambridge UP, 2006), 99-118.

**PART II: EFFICIENCY**

Thursday, January 24: Understanding Efficiency

D. Stone, "Efficiency," *Policy Paradox*, 61-85

D. Hausman and M. Mc Pherson, "Efficiency," *Economic Analysis, Moral Philosophy, and Public Policy*, 2<sup>nd</sup> ed., 135-157.

Tuesday, January 29: Eminent Domain

R. Epstein, *Takings: Private Property and the Power of Eminent Domain* (Cambridge: Harvard UP) 1-19, 161-200.

Thursday, January 31: Eminent Domain & Midterm Review

No Readings

Tuesday, February 5

Midterm Examination Parts I & II

**PART III: SECURITY**

Thursday, February 7: The Ethics of Risk-Taking and Cost of Security

D. Stone, "Security," *Policy Paradox*, 86-107.

F. Furedi, *The Culture of Fear: Risk-Taking and the Morality of Low Expectations* (London: Continuum, 2002), 1-25.

Tuesday, February 12: Continued

V. de Rugy, "What does Homeland Security Spending Buy?," Working Paper #107, (Washington DC: American Enterprise Institute for Public Policy Research, April 1, 2005).

D. Glassner, *The Culture of Fear: Why Americans are Afraid of the Wrong Things* (New York: Basic Books, 1999), 1-21.

M. Ignatieff, "The Lesser of Evils: What It Will Cost Us to Succeed in the War on Terror," *New York Times Magazine*, (May 2, 2004).

D. Cole, "Are we Safer," *New York Review of Books* (March 29, 2006), 15-18.

**PART IV: RIGHTS**

Thursday, February 14: Understanding Liberty

D. Stone, "Liberty," *Policy Paradox*, 108-130.

D. Hausman, "Liberty, Rights, and Libertarianism," *Economic Analysis, Moral Philosophy, and Public Policy*, 2<sup>nd</sup> ed., 157-173.

Tuesday, February 19: Torture, Due Process, "Enemy Combatant," and the Geneva Convention

U.S. Department of Justice Memorandum in K. Greenberg and J. Dratel, eds., *The Torture Papers: The Road to Abu Ghraib* (Cambridge: Cambridge UP, 2005), 81-143.

Thursday, February 21: Continued

J. Stumpf, "Citizens of an Enemy Land: Enemy Combatants, Aliens, and the Constitutional Rights of the Pseudo-Citizen," *UC David Law Review* 80, Vol. 38:79 (2004-2005), 79- 140.

**PART V: WELFARE**

Tuesday, February 26: Understanding Welfare

D. Hausman and M. McPherson, "Welfare," *Economic Analysis, Moral Philosophy, and Public Policy*, 2<sup>nd</sup> ed., 118-134.

Thursday, February 28: Medical Access and Human Capabilities

A. Sen, "Markets and Freedoms," *Rationality and Freedom* (Cambridge, MA: Belknap Press, 2002), 501-530.

**PART VI: EQUITY**

Tuesday March 4: Understanding Equity and the Value of a Human Life

D. Stone, "Equity," *Policy Paradox*, 39-60.

D. Hausman and M. McPherson, "Equality and Egalitarianism," *Economic Analysis, Moral Philosophy, and Public Policy*, 2<sup>nd</sup> ed., 174-196.

E. Kolbert, "The Calculator: How Kenneth Feinberg Determines the Value of Three Thousand Lives," *The New Yorker Magazine* (November 25, 2002).

Thursday, March 6: Continued

N. Scheper-Hughes, "The Global Traffic in Human Organs," *Current Anthropology*, Vol. 41:2 (April 2000), 191-224.

Final Review

**FINAL EXAMINATION: TIME AND LOCATION ACCORDING TO OSU REGISTRAR**