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ETHICS IN PUBLIC ADMINISTRATION

UNDERSTANDING ETHICS, CORRUPTION, AND PUBLIC POLICY

EDITED BY MERIEM DOUCETTE
AND DAVID ADAMS

ETHICS IN PUBLIC ADMINISTRATION

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AND PUBLIC POLICY

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FOREWORD

I am honored that the coeditors, Drs. Meriem Doucette and David Adams, asked me to write the foreword for this important book. As a Virginia Tech alumni and a disciple of Dr. John Rohr, as well as a university professor who has taught both undergraduate and graduate public administration ethics, I recognize the relative dearth in the field of collections of ethics readings such as this and the consequent need to help fill this gap for students and civil servant practitioners.

This work is value-added, since it is one of only a handful that assembles several substantive public administration ethics selections in one volume, in addition to original case studies, which will provoke critical analysis of ethical dilemmas. The readings are logically presented, with attention to Socrates's admonition for avoidance of generally applicable definitions by removing ambiguity of the key term, *ethics*, by providing a description, rather than an operational definition as might be expected in an authored, rather than edited, book. Appropriately, the editors do not delve into the realm of meta-ethics (i.e., what morality itself is), as a pure philosopher might, but do follow the description of ethics with writings on the normative level of ethics, including Utilitarian, Deontological, and Aristotelian Virtue ethics.

The editors proceed by clarifying the essential distinction between the proverbial ceiling (i.e., the moral ideal[s]) and the law (i.e., the moral minimum), which is the proverbial floor in ethics. This distinction reminds us that just because something is legal doesn't mean it's necessarily ethical (e.g., Nazi antisemitic legislation from 1933 to 1939 and the institution of slavery in US history). As Justice Oliver Wendell Holmes, Jr., stated, "This is a court of law, young man, not a court of justice." Ideally, the laws will also be just or ensure justice, but merely keeping the law (i.e., as a "value-neutral" administrator) is not enough to be an ethical civil servant (i.e., as a "value-based" administrator).

The editors transition in Part 3 from normative-level ethical considerations to the applied level of ethics for bureaucrats. The dialectic between Cooper's (2004) "Big Questions" and Rohr's (2004) brief response to those "Big Questions" is a critical starting point for any student or practitioner of public administration ethics. Where Cooper (2004) identifies five useful normative foundations for public administration ethics

(i.e., [1] Regime Values, Constitutional Theory, and Founding Thought, [2] Citizenship Theory, [3] Social Equity, [4] Virtue, and [5] The Public Interest), Rohr (2004) extends the conversation, arguing that Cooper's "five approaches to ethics are empirical rather than normative" (Rohr 2004, 125), giving attention to legal aspects of ethics, such as conflict-of-interest and financial disclosure laws.

Doucette and Adams endeavor to rectify the scarcity of articles Rohr (2004) highlights by including writings that argue that public administrators are morally obligated actors via their oath to the Constitution, with their administrative discretion (i.e., their most powerful tool) allowing for and demanding ethical decision making, as well as exploring issues such as lying, bribery, and the problem of "dirty hands." The book concludes with a focus on ethical decision making by policy analysts. Importantly, Doucette and Adams draw on more established scholars in the field, such as Cooper and Rohr, but also allow discursive space for newer voices in the discipline.

I am privileged to have studied under Dr. John Rohr and fortunate to have been teaching public administration ethics at the undergraduate and graduate level for 13 years and counting. I am delighted to have this new resource Doucette and Adams provide.

—Shawn Erik Schooley, PhD
Associate Professor, St. Cloud State University

PART I

FOUNDATIONS OF ETHICS

CHAPTER 1

Foundations of Ethics in Public Administration

As individuals, we often seek to find easy answers to complex problems, but as students and practitioners of public administration, we recognize that those easy answers are few and far between when conducting the public's business in the public interest. Empirical evidence, values, norms, principles, and cultural mores often serve as tools or "instruments" for solving problems (Waldo 1980). But which instrument do we use? How do we decide? This is the fundamental difficulty faced by public administrators nearly every day. More importantly, these are ethical questions at the heart of nearly every decision made by a public administrator. As Svava (2014) notes, "Ethics are integral to public administration." In the American context, ethics are necessary to ensure that the public sector upholds the values and rights articulated and codified in the law.

Public administrators face ethical questions concerning our values when practicing **administrative discretion**. When a police officer decides to give a warning instead of issuing a traffic ticket, when a high school principal decides to suspend one student and expel another, when a case worker decides to cancel a welfare benefit, they are using administrative discretion. "The proper exercise of administrative discretion authoritatively allocates values, determines who gets what, promotes the common good, etc. Persons performing these functions govern and should therefore somehow respond to the values of the people" (Rohr 1998, 19). These values are eloquently expressed in founding documents such as the Declaration of Independence. They are the declared rights of all Americans: life, liberty, and the pursuit of happiness.

To Aristotle and the ancient Greeks, the goal of human life is happiness. This is achieved only when one provides a *good* contribution to a meaningful human community over a lifetime: self-fulfillment comes from service to community (Aristotle 1999). This is the spirit that many public servants bring with them to work every day. But what makes one's contribution

good, and who or what helps us to become good contributors to our community? Indeed, what is good? Answers to these questions come from ethical principles, from societal norms, and from the values of the people and their government. The difficulty lies in determining what is right, what is wrong, and ultimately, what is good for the public. This book offers a selection of readings about ethics in the public service for those wanting to participate in this noble enterprise.

Public servants are endowed with a moral obligation to defend the values of the American regime—the founding values—on behalf of the body politic. To understand and embrace this obligation, public administrators must realize the conflict between bureaucratic values and democratic values (Raadschelders and Stillman 2017, 14). Indeed, in a country of federalism, the challenge is to “square Jefferson’s decentralized sense of democracy with Hamilton’s stress on national unity and still preserve ... democracy” (Raadschelders and Stillman 2017, 14). According to Gawthrop (2017, 334), democracy seeks the “good,” but governance—or the system—can get messy when it is turned over to the people. This is the challenge of (self-)government that those engaged in the public’s business have faced for millennia.

An understanding of ethics does not provide those in public service with concrete answers to moral dilemmas, but it does provide guidance when we must ask critical questions about morality, and it helps us to systematically seek answers supported by good reasons. Public administrators use **normative ethics** to guide decision making. The focus of normative ethics is on how one acts in a given situation, how one decides something. However, there are so many competing normative ethical principles. Ultimately, no principle is absolute in its ability to deal with every moral dilemma and choice. The challenge for those who do make decisions—those who exercise administrative discretion—is to choose an ethical framework and stick with it or to apply different ethical approaches in different situations. This is the purpose of this book.

Developing, honing, and practicing an ethical principle is fundamental to public administration. Gawthrop (2017, 333) writes, “The linkage between ethics and democracy is, to a significant extent, forged by the caliber and character of how the public service is advanced in the name of democracy.” This is even more the case when much of the public’s business—and public administration itself—is organized by the values of bureaucracy; those principles of hierarchy, specialization, rules, rigid division of labor, and formal lines of authority that prize facts and efficiency above all else.

The foundations of public administration were built on the idea that politics and administration were separate entities—a dichotomy between facts and values. Woodrow Wilson and early public administration theorists (e.g., Goodnow 2009 [1914]) embraced this politics–administration dichotomy, arguing that the separation would allow administration to be a “value-free endeavor and thus the legitimate subject of scientific analysis” (Fry and Raadschelders 2014, 121). Administration theories subsequently came to reject the idea that the two can be separated, because exercising administrative discretion, scientifically or otherwise, is a value-laden endeavor.

Luther Gulick (1937) sought a science of administration and embraced the scientific method. His vision of public service values was limited to efficiency, but claiming efficiency as the ultimate value for administration is a political claim. Gulick realized that efficiency for efficiency’s sake was insufficient in a democracy, writing that “we are in the end compelled to mitigate the pure concept

of efficiency in the light of the value scale of politics and the social order” (Gulick 1937, 193). While efficiency is still a fundamentally important value in pursuit of the public good, we must recognize complementary and competing values as well. This is the reason public administrators must have an understanding of ethics and should strive for ethical competency. Choosing between values, even in the face of facts, is a quotidian administrative function.

So how do we choose among values? How do we balance “value-free” objective science with other values held by the public? In a postpositivist world, do we even view science as objective? We live in a time of chaotic clashes of human interpretations about what is true and what is fake, what is right and what is wrong. Which decision is the right one? Which decision is morally defensible? Whose facts and judgments are viewed as right? Is it the scientist, the bureaucrat, the expert, the loudest speaker, the most powerful, or the most affluent? Nietzsche (1966 [1886]) answered this long ago, saying the only moral principle passed down through the ages is that the strong can dominate the weak. The Founders acknowledged this in 1787 when drafting the new Constitution for the United States. Checks and balances, separation of powers, and the system of federalism were all designed to “render an unjust combination of a majority of the whole very improbable, if not impracticable,” as Madison wrote in *The Federalist Papers* no. 51 (Rossiter, 1999, 321).

The Founders were heavily influenced by the Enlightenment thinkers, such as Thomas Hobbes, John Locke, and Adam Smith, among others. This influence led to the creation of a government that values basic rights, freedom, neutrality, equality, and justice. Distributive justice and redistributive justice claims are normative claims: they determine who gets what reward and who gets what punishment. The values enshrined in basic rights, freedom, and equality often hinge on the limits of human conduct: what is harm, when is it allowed and disallowed, and who decides? John Locke and the Founders influenced by him are considered classical liberals who believed that no one should be allowed to harm themselves or others and that freedom has limits, which is ultimately a normative claim.

The authors throughout this book deal with the basics of ethics and ethical reasoning in the American context from numerous perspectives relevant to public administration, including law, corruption, and public policy. They discuss the basics of ethics and different types of ethical questions so that public administrators can address ethical dilemmas while keeping the public interest in mind.

This raises the question of how one should act in the public’s interest when conducting the public’s business. The articles in this book suggest that we can act efficiently, we can do what is legally right, we can do what is politically right, or we can do what makes us feel good. For some of us, the act that brings about the greatest good for the greatest number is the ethical principle that guides one’s action. As Mr. Spock said at the end of *Star Trek II: The Wrath of Kahn*, “The needs of the many outweigh the needs of the few.” This concept is known as **utilitarianism**, and it is most associated with the English philosopher and jurist Jeremy Bentham. He argued that an act is morally right if, and only if, it brings about the greatest happiness for the greatest number of people, or the greatest good for the greatest number.

Utilitarianism embraces a consequentialist theory of utility because what is best depends on the situation. In some situations, people may be sacrificed or used as a means to an end. The institution of slavery is a horrific but apt example of utilitarianism (and it was opposed by Bentham). It is also consequentialist because the notions of “good” and “happiness” are ambiguous and situation-specific (i.e., what may be good for one person is not necessarily good for another). Utilitarianism comes in two forms. **Rule utilitarianism** argues that we should follow rules that are designed to achieve the greatest good even if it requires personal sacrifice. **Act utilitarianism** argues that we should always act in a way that maximizes the greatest good. In the end, the general problem with this ethical line of reasoning is that utilitarians are willing to sacrifice the rights of the few to achieve the happiness of the many. This is why the Founders sought to check, balance, and separate power and authority, to ensure that no individual person’s or group’s rights would be sacrificed. Over time, the notion that what is good for the greatest number may not be good for the fewest number began to challenge utilitarian approaches to government actions and distributive justice. In 1971, John Rawls (1971) introduced his *Theory of Justice*, arguing that all inequalities resulting from utilitarian distributions should be made to benefit those who are worst off.

Deontology is another classical ethical perspective, and it is most closely associated with Immanuel Kant. It is a nonconsequentialist, duty-based ethic. From this perspective, one’s intent matters: an action is right as long as it is done from a sense of duty. In other words, an action is worthy or unworthy depending on one’s reason for doing it, not because of the consequences of the action. Kant maintained that all actions done with a sense of duty should be done by contemplating whether our actions will be done in such a way that they can become a universal principle—a rule or maxim, as he called it, by which we wish everyone to operate. Actions are guided by these maxims without regard for the consequences of the action. In contrast to utilitarianism, people are to be treated as ends not as means, because it recognizes the intrinsic worth of all humans. For Kant and deontologists, this sense of duty must be trained and developed through education and thoughtful contemplations for it to become morally sound and justifiable.

Aristotle articulated a third classical perspective, **Virtue Ethics**. Like Kant, Aristotle felt that doing proper actions—acting virtuously—is something that must be developed and trained over time. Virtue, to Aristotle, is a means between extremes in specific situations, and morality is essentially bound up with bringing about the ultimate human good. Embracing this perspective, the public administrator can recognize and balance the values inherent in both utilitarianism and deontology and determine which may be more appropriate in a given situation (Tong 1986). Aristotle’s goal was to create a virtuous citizenry, one with a happy and well-ordered community because those in power create morally sound decisions (Aristotle 1999). Beyond the great debates between the Federalists and Anti-Federalists at the American nation’s founding, they all also had the desire for a virtue-centered citizenry (Richardson and Nigro 1987).

These ethical basics—the classical perspectives—and their related normative claims are addressed in the next three chapters of this book. They provide a plain-language review of many

of the basic concepts and principles discussed elsewhere throughout the book, highlighting how to make ethical decisions and behave in ethical ways. The focus isn't entirely on public administration, but the situations discussed are those faced by public decision makers every day. A general understanding of ethical principles and where they come from is important for those engaged in the public's business. We have to ask questions about whether decisions are made based on epistemological considerations or facts, public values or political commitments. Unless public servants "confront the moral dimensions of their occupation squarely, they cannot act in the public's best interest" (Tong 1986, 8). When it comes to decision making, public administrators often face and attempt to accommodate both political and ethical values, making hard choices between them (Tong 1986, 44). In the remainder of the book, parts 2 through 6, the authors expand on these fundamentals with a focus from a legal perspective, a general public administration perspective, a view of ethics and corruption, and ethics in public policy.

The law gives public administrators guiding principles for ethical decision making and actions. Much of this comes from the founding documents, such as the Declaration of Independence, the Constitution, and *The Federalist Papers*, as well as from cases argued in front of the Supreme Court and lower courts at all levels of jurisdiction. Chapters 5 and 6 discuss the explicit role of the Supreme Court in determining how we interpret and apply the values inherent in the American people. These values include freedom, equality, and property, as well as diversity, rule of law, community, and the distrust of government that have been present since the founding of the republic. But no matter how we may turn to the Court for guidance in interpreting and applying these values in an ethical way, its opinions still generate varying interpretations. By reading and understanding these opinions (and dissents), a public administrator can interpret and apply ethical and political values in whatever situation they face.

Part four of the book expands this discussion by further elaborating on American values and ethical decision making for public administrators. In chapter seven, Terry Cooper discusses citizenship theory and Aristotelian virtue ethics and how they assist in conducting the public's business, especially when balancing competing demands. He posits that the public interest can serve as a moral guiding compass because it is both an obligation and a reminder about how to act on behalf of the public. Public organizations are important as well for the ethical development (or deficiency) of public administrators. Indeed, there is a link between strong ethical culture and organizational performance. Ethical leadership and competency among members of an organization are believed to lead to better results in the outputs and outcomes it generates (Menzel 2015). Cooper's (2004) view reflects Madison's in *The Federalist Papers* no. 51, making it clear that organizations can and ought to be used to channel one's self-interests for the public good.

Building on Cooper's arguments, in chapter 8 John Rohr discusses how public administration provides stability as politicians and political appointees come and go. This fact highlights the importance and necessity of the neutrality of the civil service. Of course, there is occasionally the problem of the technocratic elite and a bureaucracy that is malicious or otherwise nonresponsive

to political directives. And on occasion, those civil servants are upholding ethical values in the face of political challenges. Whistle-blowers are a good example of this (O'Leary 2006).

Nevertheless, the importance of bureaucratic discretion and the influence of politics in administrative decision making heightens the need for ethical competency among bureaucrats and all of those engaged in public administration. With the demise of the politics/administration dichotomy and the rise of a civil service, empowered with administrative discretion, Rohr's greatest contribution to our understanding of public service ethics comes from a career seeking the answer to a simple question: "How can a democratic regime justify substantial political power in the hands of people who are exempt by law from the discipline of the ballot box?" (Rohr 1998, 6). Rohr makes an important point about the moral exigencies public administrators face: particular principles and ethical values held by an individual may be challenged by what is an appropriate course of action for a professional civil servant. One may have to sacrifice one's personal interest for the interest of the public.

Rohr spent much of his career looking at how the Constitution and the legal system can give ethical guidance. Rohr (1998, 1) identifies "the ethical problem that is peculiar to the career civil servant: the responsible exercise of administrative discretion." In Rohr's opinion, public administrators should accept the moral obligation to put themselves in touch with the values of the American people through the values of the American regime—the values, principles, passions, and beliefs that have guided the majority of Americans for generations. These are found in the Constitution and in Supreme Court decisions. Rohr's argument is rooted in the obligation of bureaucrats in a democracy to use their discretionary (i.e., governing) power in a manner that is consistent with the values of the people in whose name they govern (Rohr 1998). Indeed, public administrators explicitly or implicitly take an oath to uphold the Constitution and the values it represents.

Elsewhere, Rohr has written about the role of the Supreme Court as an ethical guide for public administrators (Rohr 1989). He suggests that studying salient Court cases involving the regime values of freedom, property, and equality, among others, can lead to a greater understanding of the values of the American people. Reflection on these cases provides the public administrator legitimacy in his or her actions, especially as his or her administrative discretion increases over time. Rohr identifies four characteristics of the Court that make it suitable for ethical reflection on the values of the American people, guiding one's action in the public interest. The first is that it is "institutional," in that it provides historical continuity. Its opinions reflect American values at a particular time and, more importantly, the longevity of the institution allows these values to evolve over time, reflecting the mores of new generations of justices and Americans, while looking to the past for guidance (Rohr 1989).

The second characteristic of the Court is its "dialectical" nature, which is found in the justices' concurring and dissenting opinions. These offer public administrators alternative ways of looking at the same problem. This back-and-forth process helps one to understand the conflicts inherent in the interpretation of regime values. Third, the opinions of the Court are "concrete," whereas philosophical principles and values are often abstractions (e.g., "good" and "happiness"). It is

imperative to make discretionary judgments based on concrete values and principles to provide legitimacy to one's decisions. Finally, the Court answers "pertinent" questions. As discussed in chapters 5 and 6 of this book, the Court answers pertinent questions of the day and sometimes hot-button issues that are being debated around the country. Values and decisions relating to equality, freedom, and property are pertinent to every public administrator. By understanding the Court's reflections on regime values, public administrators can make bureaucratic judgments in the best public interest, giving credence and legitimacy to administrative discretion (Rohr 1989).

To challenge the reader's understanding of the material presented in this introduction and the first eight chapters, chapter 9 provides several short vignettes, or hypothetical cases, upon which to reflect and apply the various concepts. Chapters 10 and 11 take a different approach by focusing the discussion on corruption. Chapter 10 introduces several court cases that deal with the bribery of elected officials and quid pro quo circumstances. The chapter highlights how the values of free speech (i.e., freedom) and distrust of government are interpreted by the courts. Even though the focus is on elected officials, the principles apply to public administrators and civil servants of all stripes. As well, it should remind the reader of George W. Plunkitt of Tammany Hall (Riordon 1963). The focus is on the institutional nature of the Court and how values are interpreted differently over time.

Chapter 11 introduces an important concept in public service ethics: the dirty hands theory. It is a consequentialist theory that describes how those in power (and those empowered by administrative discretion) may use immoral or unethical means to achieve a desired goal or end. The notion comes from Sartre's play with the same name, as well as from Machiavelli, who wrote that the appearance of ethical rightness is more important than employing such ethics. Anyone who is familiar with Cesare Borgia—Machiavelli's (1992 [1513]) Prince or Nietzsche's (1966 [1886]) ideal *ubermensch*—will understand this concept, which is that the goals of glory, survival, and expression can justify immoral actions. While the chapter focuses on extremely hierarchical bureaucratic organizations, such as the military and police forces, with clear chains of command and designees of ultimate responsibility, it highlights the concept that is applicable to any public administrator.

With this concept in mind, readers should challenge themselves to think of the prevalence of the problem of "many hands" in public administration (Rohr 2004). Regarding policymaking, Tong (1986) writes,

What is frightening about contemporary policymaking is the feeling that the decisions most likely to affect society for better or worse are made not by identifiable persons but by an amorphous collectivity whose willy-nilly processes cannot be stopped once they are started. (p. 68)

The business of the public is regularly conducted without clear chains of command, and new theories of public organization seek to flatten bureaucracy and hierarchy; there may potentially be many dirty hands and the concomitant difficulty of assigning blame for unethical actions.

Regardless, from a legal perspective and from the point of view of public scrutiny, a public administrator should never justify unethical or immoral means to achieve a desirable end. Whatever the justification, it won't stand up to public scrutiny, and, in many instances, just means don't achieve the desired goal (e.g., Matthews 2008).

The last two chapters of the book focus on ethics and public policy, as well as the ethical dimensions of decision making. Chapter 12 focuses directly on policy analysis and the decisions made by policy analysts. After reviewing regime values and the values inherent in utilitarianism, the notion of distributive justice is structured through the lens of classical liberalism found in the writings of John Locke, reform liberalism found in the theories of John Rawls, and neoclassical liberalism found in the theories of Robert Nozick. Using the economic theories of utility and social welfare, the author describes how each approach to distributive justice impacts the most well-off and least well-off in society, challenging policy makers and policy analysts to explore the diversity of ethical theory.

The final chapter of the book also focuses on decision making, but from the lens of reporting educational performance. Throughout the book, the focus has been on different ethical frameworks. In this chapter, the author applies two of the dominant frameworks (deontology and consequentialism) to consider how to most ethically report performance data. The author recognizes that the process of interpreting and presenting data is fraught with conflicting views from various stakeholders and that it is important for anyone to think carefully about what values are guiding their decision-making process (though arguably even more so for public-sector employees, who have greater demands for transparency and accountability). Decisions have consequences, and it is critical for the decision maker to also view their decisions from an ethical lens.

This book on ethics for graduate students and practitioners of public administration provides a clear view of different ethical perspectives and applies them to different situations. However, we do not always respond to ethical dilemmas in practice the way we think we would, so you will be challenged at the beginning of each chapter to apply your developing ethical frameworks to an ethical dilemma. Many of the ethical dilemmas that public administrators face in practice do not have the luxury of lengthy decision making, so this will challenge you to make a relatively quick decision in each chapter's "See Where You Stand: A 60 Second Ethical Dilemma." A longer case study is provided at the end of each chapter to encourage further critical thinking. Other than chapter 10's case study, which is based on real events, the rest of the case studies are fictional (though highly plausible), so any similarity to a person or real event is coincidental. It is our goal to encourage ethical development and to promote ethical competency among students and practitioners engaged in public service. There are no easy answers or perfect solutions to the dilemmas and decisions facing public administrators, but we hope this book will give you a better roadmap to fully consider the ethical implications of your decisions in public service.

REFERENCES

- Aristotle. *Nicomachean Ethics*. Translated by Martin Ostwald. Upper Saddle River, NJ: Prentice Hall, 1999.
- Cooper, Terry L. "Big Questions in Administrative Ethics: A Need for Focused, Collaborative Effort." *Public Administration Review* 64, no. 4 (July/August 2004): 395–407.
- Fry, Bryan, R. and Jos. C. N. Raadschelders. *Mastering Public Administration: From Max Weber to Dwight Waldo*, 3rd ed. Los Angeles: CQ Press, 2014.
- Gawthrop, Lewis C. "Ethics in the Public Service." In *Foundations of Public Administration*, edited by Jos C. N. Raadschelders and Richard J. Stillman II, 333–50. Irvine, CA: Melvin & Leigh, 2017.
- Goodnow, Frank. *Politics and Administration*. 1914. Reprint, New Brunswick, NJ: Transaction Publishers, 2009.
- Gulick, Luther. "Science, Values, and Public Administration." In *Papers on the Science of Administration*, edited by Luther Gulick and Lyndall Urwick, 3–45. New York: Institute of Public Administration, 1937.
- Machiavelli, Niccolo. *The Prince*. 1513. Translated by W. K. Marriott. New York: Alfred A. Knopf, 1992.
- Matthews, Richard. *The Absolute Violation: Why Torture Must Be Prohibited*. Quebec: McGill-Queen's University Press, 2008.
- Menzel, Donald C. "Research on Ethics and Integrity in Public Administration: Moving Forward, Looking Back." *Public Integrity* 17, no. 4 (2015): 343–70.
- Nietzsche, Friedrich. *Beyond Good and Evil: Prelude to a Philosophy of the Future*. 1886. Translated by Walter Kaufmann. New York: Random House, 1966.
- O'Leary, Rosemary. *The Ethics of Dissent: Managing Guerrilla Government*. Washington DC: CQ Press, 2006.
- Raadschelders, Jos C. N. and Richard Stillman II. "Introduction: The Future of the Study of Public Administration." In *Foundations of Public Administration*, edited by Jos C. N. Raadschelders and Richard Stillman II, 1–19. Irvine, CA: Melvin & Leigh, 2017.
- Rawls, John. *A Theory of Justice*. Cambridge, MA: Harvard, 1971.
- Richardson, William D. and Loyd G. Nigro. "Administrative Ethics and Founding Thought: Constitutional Correctives, Honor, and Education." *Public Administration Review* 47, no. 5 (September/October 1987): 367–76.
- Riordon, William L. *Plunkett of Tammany Hall*. New York: E. P. Dutton, 1963.
- Rohr, John A. *Ethics for Bureaucrats: An Essay on Laws and Values*, 2nd ed. New York: Marcel Dekker, 1989.
- Rohr, John A. *Public Service, Ethics, and Constitutional Practice*. Lawrence, KS: University Press of Kansas, 1998.
- Rohr, John A. "On Cooper's 'Big Questions.'" *Public Administration Review* 64, no. 4 (July/August 2004): 408–09.
- Rossiter, Clinton, ed. *The Federalist Papers*. New York: Penguin Group, 1999.
- Svara, James H. "Who Are the Keepers of the Code? Articulating and Upholding Ethical Standards in the Field of Public Administration." *Public Administration Review* 74, no. 5 (July/August 2014): 561–69.
- Tong, Rosemarie. *Ethics in Policy Analysis*. Englewood Cliffs, NJ: Prentice-Hall, 1986.
- Waldo, Dwight. *The Enterprise of Public Administration*. Chandler and Sharp Publishers: Novato, CA, 1980.