

PPAS 4190 3.0

Fall 2022

Ethics and the Public Service: Integrity and Democracy

Thursday, 11:30 a.m. – 2:30 p.m.

Class will be in person in the South Ross building S540, but you must also check eClass for asynchronous components.

Course Outline

Course Director:

Ian Stedman

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1. Land Acknowledgment

York University recognizes that many Indigenous Nations have longstanding relationships with the territories upon which York University campuses are located that precede the establishment of York University. York University acknowledges its presence on the traditional territory of many Indigenous Nations. The area known as Tkaronto has been care taken by the Anishinabek Nation, the Haudenosaunee Confederacy, and the Huron-Wendat. It is now home to many First Nation, Inuit, and Métis communities. We acknowledge the current treaty holders, the Mississaugas of the Credit First Nation. This territory is subject of the Dish with One Spoon Wampum Belt Covenant, an agreement to peaceably share and care for the Great Lakes region ([LA&PS Land Acknowledgement](#)).

2. Prerequisites

AP/PPAS 2110 6.0, or AP/PPAS 2110 3.0 “Canadian Government,” or AP/PPAS 2910 6.0, “Canadian Democracy in a North American Context,” or GL/POLS 2100 6.0, “Introduction to Canadian Government”, or permission of the instructor (which is generally granted to students with a serious interest in the subject matter).

3. Course description

This course examines ethics standards and current events in politics and the public service. Ethical government is important, and it is accordingly crucial for students of politics and policy to be able to understand what rules of ethical conduct exist, how those rules are administered and/or enforced, and to be able to think critically about how those rules might be improved. This course introduces students to important concepts, including: conflicts of interest, lobbying and lobbyist registration, election financing, whistleblowing in the public sector, expenses and expense claims, and theories of public sector accountability. We will review current and past ethics scandals in Canada, including those involving Prime Minister Justin Trudeau (e.g. the Aga Khan vacation, the SNC-Lavalin affair and the WE scandal) and Ontario Premier Doug Ford’s use of patronage. We will also explore the accountability regimes that exist within the municipal context. This course often takes place at the same time as an election in Canada (whether municipal, provincial, territorial or federal), which tends to inspire discussions about how ethics can and has been used as a political weapon.

This course further explores why the use of public office for personal gain is wrong in the democratic context. Students learn how to conduct an analysis of typical ethical dilemmas in the public sector, both with regard to public servants and elected politicians. Codes of conduct for federal, provincial and municipal public servants are examined, along with the structures for advising and resolving disputes about the application of such codes. With regard to elected politicians, the Canadian system of independent ethics commissioners and lobbyist registrars is highlighted.

It is recognized that the course covers a broad range of subjects and that most students are new to them. Students must be willing and eager to engage in the subject matter in a critical manner. Students must also be prepared to write a research paper, with an honours-level depth of engagement and proper citations.

4. Learning Objectives

Students will learn:

- why ethics is important to democracy;
- how mechanisms designed to incentivize ethical conduct and, when necessary, punish public sector actors for their unethical conduct, are integrated into public sector institutions;
- the reasons for public sector codes of conduct and strategies for compliance;
- how to recognize an ethical dilemma and how to analyze typical public sector workplace ethical dilemmas;

- the reasons for conflict of interest policies and legislation covering elected politicians, and the mechanisms developed in Canada to ensure that elected politicians (federal, provincial and municipal) understand the rules and comply with them;
- the theory behind lobbyist registration rules federally, provincially and municipally, and how those registration regimes operate; and,
- how to speak and write clearly about public sector ethics issues.

5. Evaluation (further details at end of Course Outline)

Assignment:	Six (6) Mini-Sim reflections (top 4 are graded)	Value (%):	20
Assignment:	In-class Participation (must be regular and consistent)	Value (%):	15
Assignment:	Proposals for final paper due November 3	Value (%):	15
Assignment:	Video presentation to be uploaded to Eclass, dates will be assigned	Value (%):	10
Assignment:	Final paper on approved subject of student's choosing, due December 1	Value (%):	40
TOTAL:			100%

6. Technical Requirements for Taking the Course

Several platforms may be used in this course (e.g., eClass, Zoom, ChoicePoint, etc.) through which students will be required to interact with the course materials, the course director, as well as with one another. Please review this syllabus to determine how the class meets, and how office hours and presentations will be conducted.

7. Participation

Attendance during weekly class sessions is mandatory. You will be expected to engage and ask questions both in-person and, if we are forced online, through the Zoom chat function. Inappropriate or disrespectful language will not be tolerated and you may be removed from class until the matter has been addressed.

Your participation grade will be a reflection of your attendance and engagement in scheduled class sessions. That being said, do not hesitate to reach out to me (your instructor) if you have concerns about the scheduling of the sessions or if you need to make special arrangements with respect to your attendance on specific weeks. If we end up on Zoom, you will then also be expected to enable your video so that we can engage with one another in thoughtful conversations about the course content.

8. Student Conduct

Students, course instructors and staff have a joint responsibility to create and maintain a welcoming and inclusive learning environment. All students are expected to conduct themselves in accordance with the [Code of Student Rights and Responsibilities](#). Whether online or in-person, students and course instructors are expected to cultivate and sustain a professional relationship characterized by mutual respect and courtesy. In all classrooms, any disruptive and/or harassing behaviour will not be tolerated. To ensure that you adhere to the rules of the virtual classroom, please review what counts as proper ‘netiquette’ (the basic rules for communicating with others in online spaces) by consulting the [student guide to e-learning](#). **If you experience an inappropriate online incident that makes you feel unsafe or uncomfortable, please contact me immediately so I can work to resolve the issue.**

Please respect the privacy of your peers and instructors. Never share private information about your peers and instructors without their permission. Remember, no aspect of your courses should be recorded or distributed without everyone’s consent.

9. Academic Integrity

In this course, we strive to maintain academic honesty to the highest extent possible. Please familiarize yourself with the meaning of academic integrity by completing SPARK’s Academic Integrity module at the beginning of the course. Breaches of academic honesty range from cheating to plagiarism (i.e., the improper crediting of another’s work, the representation of another’s ideas as your own, etc.). All instances of academic dishonesty in this course will be reported to the appropriate University authorities and can be punishable according to the Senate Policy on Academic Honesty.

Turnitin

To promote academic integrity in this course, students will normally be required to submit their written assignments to Turnitin (via the course’s eClass site) for a review of textual similarities and the detection of possible plagiarism. In so doing, students will allow their material to be included as source documents in the Turnitin.com reference database, where they will be used only for the purpose of detecting plagiarism. The terms that apply to the University’s use of the Turnitin service are described on the Turnitin.com website. York students may opt out of using Turnitin. If you wish to opt out, you should contact your instructor as soon as possible.

10. Accessibility

While all individuals are expected to satisfy the requirements of their program of study and to aspire to achieve excellence, the University recognizes that persons with disabilities may require reasonable accommodation to enable them to perform at their best. The University encourages students with disabilities to register with Student Accessibility Services to discuss their accommodation needs as early as possible in the term to establish the recommended academic accommodations that will be communicated to Course Directors through their Letter of Accommodation (LOA).

Please let your instructor know as early as possible in the term if you anticipate requiring academic accommodation so that we can discuss how to consider your accommodation needs within the context of this course. Sufficient notice is needed so that reasonable steps for accommodation can be discussed. Accommodations for tests/exams normally require three (3) weeks (or 21 days) before the scheduled test/exam to arrange.

Religious Observance Accommodation

York University is committed to respecting the religious beliefs and practices of all members of the community, and making reasonable and appropriate accommodations to adherents for observances of special significance. Should any of the dates specified in this syllabus for course examinations, tests, or deadlines conflict with a date of religious significance, please contact the instructor within the first three (3) weeks of class. If the date falls within the formal examination periods, you must complete and submit a Religious Accommodation for Examination Form at least three (3) weeks before the start of the exam period.

11. Textbooks

Required textbooks:

1. Ian Greene and David P. Shugarman, Eds, *Honest Politics Now: What Ethical Conduct Means in Canadian Public Life* (Toronto: Lorimer, 2017). (Available in bookstore. Kindle edition available through Amazon)
2. Kenneth Kernaghan & John Langford, *The Responsible Public Servant*, 2nd Ed. (Toronto: IPAC, 2014) (Available in bookstore; Kindle edition available through Amazon – make sure you get the SECOND edition.)

→ All other readings will be posted on eClass or emailed to you.

Suggested:

- Susan Dimock, Mohamad Al-Hakim, Garrett MacSweeney, Alessandro Manduca-Barone and Anthony Antonacci, *Ethics and the Public Service: Trust, Integrity, and Democracy* (Nelson: 2013)

12. Weekly Topics and Readings

Please go through the REQUIRED readings (which may include asynchronous video and audio recordings) for the lecture prior to the class. After the class, go through the assigned materials again more carefully. The quantity of assigned materials is quite reasonable; you should have no difficulty keeping up. The suggested readings are there primarily to help you with additional research for your final paper for the topic you have chosen.

FOUNDATIONS: 2 weeks

Class 1, September 8: *Introduction to course; Introduction to Canadian Government*

In our first class you will be:

- Introduced to the course and what is required of you;
- Introduced to some basics about how the Federal, Provincial, Municipal governments are structured and operate so that everyone in the class has the same background knowledge;
- Taught about the unique relationships & responsibilities that exist in and across government.

Required Readings:

- This syllabus;
 - Part of my dissertation, Chapter 2: “Accountability in Canada’s Parliamentary Government” (pages 14-29) [Link also available on eClass](#)
 - House of Commons website, [“The Canadian Parliamentary System”](#)
 - Kernaghan & Langford, Chapter 1: “Taking Personal Responsibility” (pages 13-34)
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Class 2, September 15: *Ethical Decision Making*

This week you will learn about how to make considered, well-informed and defensible decisions when confronted with an ethical dilemma. We will also spend some time talking about different theories of ethics because they can sometimes be used to help us understand another person’s decision-making or to help us bridge the gap between what two different parties believe is “the right thing to do”.

Required Readings:

- Kernaghan and Langford, Chapter 2, “Making Defensible Decisions”
 - Laura P Hartman, Joseph DesJardins & Chris MacDonald, *Business Ethics: Decision Making for Personal Integrity & Social Responsibility*, Chapter 2: “Ethical Decision Making: Personal and Professional Contexts” (will be uploaded to eClass)
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THE PUBLIC SERVICE: 3 weeks

Class 3, September. 22: *Public Service Foundations: Political Neutrality & Acting in the Public Interest.*

This week we will learn more about the different public service environments (e.g. ministries, agencies, ministers’ offices, etc.) We will also learn about:

- Political Neutrality
- The Duty of Loyalty

- What it means to “Act in the Public Interest”
- The duty of fairness and the principle of natural justice

Required Readings:

- Online mini simulation/activity about political neutrality (will be posted on eClass). You must also complete your Mini Sim & Reflection Assignment. See section 13 of this syllabus for details.
 - Kernaghan & Langford, **Chapter 3**: “Acting in the Public Interest” & **Chapter 4**: “The Politically Neutral Public Servant”
 - *Honest Politics Now*, part of Chapter 2: “Ethical Duties” (pages 40-51)
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Class 4, September 29: *Public Service Codes of Conduct*

This week you will learn about:

- Conflicts of interest & other in-service ethics rules
- Post-service ethics rules
- Ethics executives & the idea of “reporting up”
- Whistleblowing (possible guest lecture)
- Privacy & Freedom of Information laws

Required Readings:

- Online mini simulation/activity about whistleblowing (will be posted on eClass). You must also complete the related assignment.
- Susan Dimock, Mohamad Al-Hakim, Garrett MacSweeney, Alessandro Manduca-Barone and Anthony Antonacci, *Ethics and the Public Service: Trust, Integrity, and Democracy* (Nelson: 2013), **Chapter 3**: “The Value of Ethics Codes and of Ethics in the Public Service” & **Chapter 8**: “Disclosure of Wrongdoing”.

Suggested:

- *Honest Politics Now*, Chapter 8: “Whistle-Blowing and Ethical Practice”
 - Values and Ethics Code for the Public Service (Canada), <https://www.tbs-sct.gc.ca/pol-cont/25049-eng.pdf>
 - The website for the Office of the Public Sector Integrity Commissioner of Canada: <https://www.psic-ispcc.gc.ca/en>
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Class 5, October. 6: *Digital Government*

This week you will learn about the important role that data plays in policy making. We will also discuss the increasing digitization of our bureaucracies and the important risks that arise as we move to automate (and outsource!) certain kinds of public sector decision-making.

Required Readings:

- Online mini simulation/activity about the role of data in public policy making (will be posted on eClass). You must also complete the related assignment.
- Michael Howlett, “Policy analytical capacity and evidence-based policy-making: Lessons from Canada (2009) 52:2 Canadian Public Administration 153, online: https://www.sfu.ca/~howlett/documents/j.1754-7121.2009.00070_1.x.pdf
- Jonas Verstaete, Freya Acar, Grazia Concilio and Paola Pucci, “Chapter 6: Turning Data into Actionable Policy Insights” in *The Data Shake: Opportunities and Obstacles for Urban Policy Making*, online: https://link.springer.com/chapter/10.1007%2F978-3-030-63693-7_1#CR1
- Justin Longo, “When artificial intelligence meets real public administration”, (also available through York Library catalogue search): <https://onlinelibrary.wiley.com/doi/abs/10.1111/capa.12465>
- Bianca Wylie, “Digital Rights, Government IT, and Public Service Ethics”, (blog post, online: <https://biancawylie.com/digital-rights-government-it-and-public-service-ethics/>)

Suggested:

- Government of Ontario, “Artificial Intelligence (AI) Guidance”, online: <https://www.ontario.ca/page/artificial-intelligence-ai-guidance>
- Government of Canada, Report of the Clerk of the Privy Council “A Data Strategy Roadmap for the Federal Public Service”(2018), online: https://www.canada.ca/content/dam/pco-bcp/documents/clk/Data_Strategy_Roadmap_ENG.pdf

Oct. 13: *Reading Week = No Class*

Take this time to read ahead and find a subject that interests you because you will start crafting your proposal for your final paper next week

Class 6, October 20: Discuss paper proposal assignment; paper writing

This course is designed to help prepare you for both the workforce and for graduate studies. Excellence in written communication will be key to your success as you move down either (or both!) of those paths. Today I will teach you how to put together a paper proposal and you will be working on your own proposals. I will be meeting with students to talk about ideas and to help you put your proposals together.

Please review the [Student Papers and Academic Research Kit](#) (SPARK) website before class.

ELECTED OFFICIALS (FEDERAL/PROVINCIAL): 2 weeks

Class 7, October 27: *Money, Influence & Politics*

This week you will learn about:

- Lobbying (incl. cash-for-access & loopholes) (possible guest lecture)
- Party & Campaign finance laws
- Patronage

Required Readings:

- Online mini simulation/activity about lobbying (will be posted on eClass). You must also complete the related assignment.
 - *Honest Politics Now*, Chapter 3: “Ethical Problems in Public Life” (pgs 60-70), Chapter 6: “Money in Politics” and Chapter 7: “Lobbying”.
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Class 8, November 3: *Conflicts of Interest and Unethical Conduct*

outlines due

This week you will learn about:

- Dirty hands / Lying in the public interest
- Abuse of Authority & Resources
- Undue Influence

Required Readings:

- Online mini simulation/activity about lobbying (will be posted on eClass). You must also complete the related assignment.
- Kernaghan and Langford, Chapter 5: “Conflict of Interest”
- *Honest Politics Now*, Chapter 10: “Dirty Hands, Deception and Duplicity”

Suggested:

- *Honest Politics Now*, Chapter 4: “Case Studies: Conflicts of Interest and Entitlement”
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ACCOUNTABILITY: 2 weeks

Class 9, November 10: *The Basics of Accountability*

This week you will learn about:

- Traditional approaches to accountability, incl committees
- Customs & Conventions
- Cabinet & Party Codes Conduct
- Public Inquiries
- Elections & Criminal Laws

Required Readings:

- Parts of my dissertation ([link here](#)):
 - Part 5.3 – “Complementary Domestic Ethical and Legal Regimes”: pages 162-173.
- Peter J Carver, “Chapter 14: Getting the Story Out: Accountability and the Law of Public Inquiries” in *Administrative Law in Context* (2012). Available online: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2447927

Suggested:

- Hon. Malcolm Rowe & Nicolas Déplanche, “Canada’s Unwritten Constitutional Order: Conventions and Structural Analysis” (2020) 98:3 *The Canadian Bar Review* 430.
- Simon Ruel, “The Use of Public Inquiries in Rooting Out Corruption and Collusion – The Canadian Experience” (2020) 33 *Criminal Law Forum* 553

Class 10, November 17: *Understanding Officers & Agents of Parliament; Independence*

This week you will learn more about the officers and agents of parliament. We will discuss how those Office are established; what their roles are; the balance that must be met between independence and accountability, etc. Topic areas covered will include:

- Ethics / Integrity;
- Lobbying;
- Whistleblowing / Disclosure of Wrongdoing;
- Privacy & Freedom of Information;
- Ombudspersons;
- Auditors General; and
- Environmental Commissioners

Required Readings:

- Parts of my dissertation ([link here](#)):
 - Chapter 2: “Accountability in Canada’s Parliamentary Government” (Part 2.5: pages 29-53);
 - Part 3.6 - “Accountability”: pages 98-105
 - Skim through Chapter 4: “Independence in Action”

Suggested:

- Browse the websites for each of the Commissioners.
- *Tafler v. British Columbia* (1995) CanLII (BC SC), 5 BCLR (3d) 285: [LINK](#)
- *McIver v. Alberta (Ethics Commissioner)* 2018 ABQB 240: [LINK](#)

MUNICIPAL ETHICS: 1 week

Class 11, November 24: *Municipal Ethics Issues* (possible guest lecture)

This week you will learn about how ethics infrastructure is different at the municipal level. This difference primarily stems from the fact that municipal government is not party based (i.e. councilors are not affiliated with the Liberals, Conservatives, NDP or Green parties) and this changes the dynamic and the accountability relationships applicable to ethics oversight officers (e.g. integrity commissioners, ombudspersons and lobbyist registrars). We will also discuss the concept of *political acuity* and its role as an important skillset that can help support and sustain stronger council-staff relations.

Required Readings:

- Online mini simulation/activity about integrity commissioners (posted on eClass). You must also complete the related assignment.
- *Honest Politics Now*, Chapter 9: “Municipal Ethics Issues”
- Peter Constantinou, “Political Acuity and Staff-Council Relations” (posted on eClass)

Suggested:

- Recommendations from the Association of Municipalities of Ontario (AMO) re: Options for Enforcing Compliance by Council Members with Municipal Codes of Conduct: <https://www.amo.on.ca/sites/default/files/assets/DOCUMENTS/Letters/2021/OptionsforEnforcingCompliancebyCouncilMemberswithMunicipalCodesofConductAMOLtr20210203.pdf>
- Report of the Mississauga Judicial Inquiry (Executive Summary): https://www.mississaugainquiry.ca/report/pdf/MJI_Report_Executive_Summary.pdf
- The Town of Collingwood Judicial Inquiry Reports: <https://collingwoodinquiry.ca/report/index.html>
- *Magder v. Ford*, Divisional Court of Ontario, January 25, 2013: <http://www.canlii.org/en/on/onscdc/doc/2013/2013onsc263/2013onsc263.html>
- Videos from May 2021 “Municipal Code of Conduct Symposium”, hosted by York University: <https://ianstedman.blog.yorku.ca/municipal-code-symposium/>

Last Class (#12), December 1: *Behaving Ethically and Summary / Overview*

In this class we will take a step back and talk about what lessons you have learned and how you can use this information as you move forward in your career? I will ask you to tell me which topics that you wish you could learn more about and we will continue to discuss how important it is to always be thinking about the important role that ethics and accountability play in helping us achieve good governance practices in the public sector.

****Final Paper Due** (speak to me in advance if you need a small extension!)**

Required Readings:

- *Honest Politics Now*, Chapter 11: “Why Ethical Politics is Essential”
- Kernaghan and Langford, Chapter 8: “Managing Ethical Behaviour”

13. Detailed Evaluation Information

NOTE: All assignments must be uploaded to eClass in MS Word format.

1. Mini Sim & Reflection Assignment, 20% (due as outlined in syllabus)

This assignment consists of two parts, both relating to the mini sim:

Part 1 must be submitted before class. A link will be provided on eClass:

→ Take notes about your decisions as you move through the weekly mini-sim module. If you believe that a course concept has been engaged, make specific notes about the course concepts you engaged with as you made your specific decisions. Make sure you engage directly and clearly with those course concepts and explain to me why you think they matter for the decision you are making and (relatedly) how you used those concepts (e.g. rules, laws, principles, customs, etc.) to help you in your decision making. In other words, JUSTIFY your decisions!

Part 2 will be submitted within 24 hours following the class:

→ After discussing the materials with your instructor and your class, would you change any of the decisions you made when you worked through the sim? Whether the answer is Yes or No, you are expected to explain and justify yourself using course concepts and sound, logical reasoning.

Please note: There are 6 mini sims throughout the course. I will grade you on your best 4 submissions (each one will be worth 5%), effectively allowing you to drop two assignments if you must. Submitting all 6 will give you a better chance of maximizing your grade. I am grading you on the clarity of your analysis and the accuracy of your engagement with course concepts. I don't expect you to be perfect, but I do expect you to demonstrate to me that you have done your readings and made a strong effort to apply them in your analysis.

2. Participation, 15%

Further to completing the mini-sims and your reflection assignments, you will be expected to contribute to class discussions. Given that you will have done your readings and already completed the first part of your reflection assignment before some of the classes, you should be well-prepared for our discussions.

3. Proposals/Outlines for Final Paper: 15% (due November 3)

A tentative two-page proposal and outline for your final paper must be handed in by November 3. It must be Times 12-pt font and a WORD document. The outline must include the topic (centered on ethics issues related to this course, and may include issues such as conflicts of interest, undue influence, election financing, ethics commissioners and counselors,

whistleblowing, dirty hands, patronage or lobbying, etc); what you think your argument will be; what you think the content of your paper will be in point form; and at least five academic references (academic books or academic journal articles) that you think will be useful to you in writing your paper. You should not cite the course textbooks or assigned readings. Please use the APA citation style, 7th edition (this can be easily Googled).

The purpose of the outline is to encourage you to begin thinking early about your paper, and to give me an opportunity to assist you with your argument, your sources, and your structure so that you will be in the best position to write an excellent paper. It is recommended that you discuss your proposed topic with me prior to writing your outline to ensure that your topic is both acceptable and feasible.

A sample proposal will NOT be provided or posted on eClass, but we will discuss this assignment in class on October 20, including how the assignment will be graded. You should come prepared with your questions.

4. Individual video presentations: 10% (dates will be assigned)

You will be given a newspaper article and asked to explain why it is relevant to our course. Your presentation should be 5-10 minutes and you can use visuals. Your presentation will be uploaded to eClass for your Course Director to view and grade.

You will be graded on three factors: a) the quality and insightfulness of your analysis, b) the extent to which your analysis shows that you have read and understood the course readings related to your presentation, and previous course readings that are relevant to your presentation, and c) the clarity and comprehensibility of your presentation.

6. Final paper: 40% (due December 1)

The paper may be on any topic related to public sector ethics in Canada that interests you and that I have approved. The topic may deal with elected officials or public servants, and may include issues such as conflicts of interest, undue influence, election financing, ethics commissioners and counselors, whistleblowing, dirty hands, patronage, or lobbying. The paper should be no longer than 14 pages, double-spaced (again, 12 pt Times font, WORD document).

You MUST hand in a term paper before December 1 (unless you have permission from the Course Director to hand it in later), and your paper must take into account the Course Director's comments on your proposal/outline that was handed in on November 3. Papers handed in by students who did not also submit a proposal/outline when it was due will receive an automatic 10% penalty, even if the topic is in fact an acceptable one.

Your papers will be graded according to the following criteria: a) the quality of your argument, and how well you have defended your argument through your analysis, b) the extent to which your analysis shows that you have read and understood the relevant course readings and other

relevant research material that you have found, and c) the clarity of your writing, which means that your paper must be grammatically correct, well-structured and citations must be proper.

Papers submitted late without permission will receive a late penalty of 2% per day off your final grade (i.e. out of the 40% that has been delegated to the paper).