

Introduction

Is public policy ethics possible and, if so, is it desirable? This twofold question can – and sometimes does — elicit a smile or a frown. The smile implies that ethical theorizing rests on a naïve idea of policy-making; the frown implies that there is something tasteless or incongruous in expecting philosophy to engage with problems of policy and with the political bargaining and compromise that policy-making often involves.¹ These reactions – familiar to many working in this academic discipline – point to the ways in which ethics and public policy have been taken to be separate areas of practical concern and theoretical inquiry.

For some philosophers, the very idea of public policy ethics rests on a category mistake, confusing proper reflection on moral ideals with thinking about what is practically feasible. Gerald Gaus’ qualms that “participation in public controversy masked as philosophy corrupts philosophy” captures this worry well, reflecting the anxiety that “a sophisticated, rational, ideological advocacy is conducted as if it were philosophy, giving the impression (both to ourselves and our students) that philosophy is merely an intellectual game in which you defend what you want to believe” (Gaus 2005: 67). Public policy ethics, on this account, diverts the moral philosopher from doing philosophically relevant work and downgrades ethical theorizing to the level of wishy-washy opinion and rhetorical hot-air.² The worry, of course, is that the only way for philosophers to gain the ear of policy-makers is to betray the commitment to the reasoned evaluation of abstract arguments that defines philosophical ethics in the first place. In short, public policy ethics is no *ethics* at all — or so the argument for policy-free ethics implies.

Other philosophers occasionally point to the fact that the rubber of ethical theory never quite meets the road of policy. The contention here is that proper ethical reflection rarely plays more than a minor or decorative role in the actual policy-making process. One of the reasons for this alleged disconnect between ethics and public policy is that moral philosophy is not the kind of material that typically matters for policy work. Jonathan Wolff (2011) comes close to this position when he notes that it is not so much the philosophical quality of an argument that informs policy as the philosopher’s ability to play the language game of the policy *status quo*.³ Wolff notes that “it is very rare for a policy to have been introduced for clear and principled reasons”, which means that “to have any effect on immediate policy, philosophers will have to swallow hard and accept that the discussion will

often have to take place within the terms and space set by political and pragmatic concerns” (80). Following this reading, rigorous ethical theorizing as currently practiced often fails to capture the real concerns of actual policy-makers, thus raising the spectre of irrelevance for public policy ethics as a distinct discipline.

Public policy experts have their own versions of these concerns. After all, if policy analysis is a scientific pursuit, with its own standards for success, philosophical analysis will seem at best like unnecessary hand-waving, and at worst, like a distraction from the work to be done. This might explain why, as Henry Shue remarked, (2006: 709) experts in public policy often treat “specialists on ethics or normative issues” as unfortunate additions to the main event, “like the wilted salad that comes whether requested or not” with one’s meal, or as matters of taste, to be taken or left, “like the pepper that is entirely optional”. Worse still, philosophy can sometimes seem like a threat to public policy, encouraging us to focus on the desirable rather than the practicable, and, in a famous phrase, making ‘the perfect the enemy of the good’. Hence, students are encouraged carefully to distinguish *policy analysis* — which is about “learning why governments do what they do and what the consequences of their actions are” through “the tools of systematic inquiry” — with *policy advocacy*, which is about “saying what governments *ought* to do” using “the skills of rhetoric, persuasion, organization and activism” (Dye 1981: 6-7). Since, by definition, ethics deals with *oughts*, this widely taught view of public policy tends to equate policy ethics with the promotion of partisan agendas and ideological advocacy. Thus, those working in ethics and public policy can feel like an unloved child, disparaged and disowned by its parents.

Other familiar concerns with public policy ethics reflect the fact that public policy is a political activity, and espouse the belief that politics is fundamentally amoral. Such a separation of ethics and policy draws on familiar images of politicians and public officials as Machiavellian creatures, who must be willing to set their moral scruples aside, and to ‘dirty their hands’, climbing ‘the greasy pole’ of power, in order to achieve their objectives. Couched in the language of Weber, rather than Machiavelli, good politicians and apt public officials must be concerned with the choice of means to given ends, and not with the evaluation of ends. It is not for them to “turn the other cheek”, nor to pursue the “ethics of conviction”⁴, however permissible, even admirable, such behaviour may be in private life.

Now, if politics were really amoral, there would be little point in examining the moral principles that should guide it, however enjoyable it might be to play a parlour game called ‘imagining the good polity’ or ‘choosing principles of social justice’. Some moralists might relish arguing amongst themselves about where, how far and why our actual world departs

from the ideal. But were politics and, with it, policy-making, reducible to a scramble for power and influence, it is hard to see why most people should interest themselves in ethical arguments about policy. Perhaps morality might have a place in private life – or those spaces for personal choice and action that happen to be free from political struggles – but to suppose that public policy might be subject to ethical reflection, choice and control, would seem delusional, at best, manipulative and deceptive at worst.

However, many people reject such amoral views of politics as incoherent and reductive, and accept that a normative approach to politics can be helpful, and even desirable. Thus, there has been a veritable explosion in normative political philosophy since the 1970s and the pathbreaking work of analytic political philosophers, such as John Rawls, Robert Nozick, Ronald Dworkin, of critical theorists, such as Jürgen Habermas and Axel Honneth and feminist philosophers, such as Iris Marion Young, Nancy Fraser and Anne Phillips.⁵ Yet, until recently, this explosion had produced no systematic interest in ethics and public policy. Indeed, it is only very recently that a debate has started to take place on the distinctive methods, if any, of ethics and public policy, and the different approaches, styles or ways in which it might be developed. However, to date, there is no collective publication — handbook or otherwise — on the current state of the discipline.⁶

It is not that moral, political or legal philosophers do not engage in ethical discussions of public policy, or that they are never asked to participate in public inquiries on matters of controversy. On the contrary, we can think of the contributions of Bernard Williams on obscenity, Mary Warnock and Onora O’Neill on bioethics, Salvatore Veca on ‘Feeding the Planet’, or the contributions of Jürgen Habermas, Ronald Dworkin, Charles Taylor and Amartya Sen to see that philosophers play an important public role.⁷ Indeed, several contributors to this volume have been involved in public commissions, or in policy-making bodies concerned with public health, education and security. Nonetheless, the dominant approach to ethics and public policy, until recently, has often seemed to be more concerned with ‘sex, drugs, and rock and roll’, than with the ethics of public policy as most politicians, policy-makers, civil servants and citizens understand or experience it. Thus, publications and teaching on ethics and public policy would often centre on popular controversy around prostitution, abortion, homosexuality, euthanasia, recreational drug use, pornography and “hate speech” – all seen, correctly, as meriting normative attention, but treated as though they had nothing much to do with more mundane and less contentious issues.

Interesting and important though such discussions have been, for philosophers as for other people, this traditional approach to ethics and public policy suffers from two problems.

The first is that a focus on the more sensational issues reinforces the idea that ‘ordinary’ matters of policy raise no interesting or complex ethical questions in themselves, and none that need affect our approach abortion, euthanasia, or free speech. But as feminists, and disability-activists have insisted, we cannot easily separate the assumptions about the value of life, or the best way to distinguish public and private matters when it comes to the regulation of sexuality or speech from those that shape our practices of security, healthcare, education and transport.⁸ In addition, a focus on ‘sexy’ topics plays into an idea of public ethics as merely an extension, or application of, familiar moral theories, whether consequentialist or not, rather than as a subject which may lead us to rethink our moral categories, conceptual distinctions and normative approaches.

Our collection, therefore, adopts a perspective on ethics and public policy which is at once broader, and narrower, than is usual. It is broader, because we wanted to bring together work on the ethical dimensions of public policy spanning issues of domestic and international politics, intergenerational politics and such ordinary or technical, but nonetheless central, topics as the siting of nuclear waste, the ethics of taxation, policies on disability and poverty. Ideally, we would have loved to have had chapters examining the ethical dimensions of every policy issue as instantiated in current governmental practice – but that, of course, would have been overwhelming, as well as impossible. So, instead, we tried to focus our attention on the breadth of work that is now being done in ethics and public policy in order to highlight the range and quality of research in the area, and to illuminate the ethical dimensions of public policy that many of us – the editors included – have never considered and have no idea how to handle.

Nevertheless, if our collection is very much broader in its conception of ethics and public policy than is usual, it is narrower in its focus on one important dimension. Following theorists such as Dennis Thompson, Jonathan Wolff, and Richard Bellamy, we take the political dimensions of policy-making to play an important role in determining the ethical content, dynamics and the types of justification that can be offered for public policy.⁹ Moreover, because that content, and those justifications will depend on whether or not we think of people as political equals, and on the forms of freedom, wellbeing and opportunity which that equality requires, permits or forbids, we focus explicitly on issues of ethics and public policy that arise as a result of democratic political struggles and ideals, and that can be resolved domestically and internationally in ways consistent with democratic government.

It is not that undemocratic governments are of no interest to us, nor that they cannot improve our understanding of morality and politics. Given that our democratic societies are

imperfect in many ways, as is our understanding of democratic values and institutions, it would be absurd to cut ourselves off from potential sources of knowledge based on current ideas about what is and is not democratic. However, for practical and for philosophical reasons, we believe it best to centre this collection on problems of ethics and public policy that arise in democracies, and on democratically informed or democratically sensitive principles, broadly conceived. Practically, we hope that this will give our collection a substantive coherence and a methodological focus that it might otherwise lack, given the breadth of its subject-matter. We also hope that it might provide some consistency of factual and normative assumptions across chapters dealing with very different moral and political problems.

Philosophically, this selection on the basis of democratic considerations reflects our conviction that ethics and public policy can no more adopt ‘the view from nowhere’ than other branches of philosophy, but need not therefore be limited to the presentation and evaluation of ‘the way we do things around here’, to borrow a famous phrase of Richard Rorty.¹⁰ Instead, we hope that combining the ethical evaluation of policy with democratic theory and practice, quite broadly understood, will enable our collection to speak to all those for whom the right to participate in the government of one’s society is an essential right, and a defeasible constraint on the legitimacy of any government.¹¹

Democracies are quite varied political arrangements, and the adjective ‘democratic’ can be applied to associations, individuals, institutions and ideals. Nonetheless, democratic governments are committed to the belief that all citizens are, in principle, entitled to participate in government, and this makes democracies different from other forms of government, on which wealth, virtue, sex, lineage, religion or parentage are thought to justify limiting political participation to a few, select, individuals. Importantly, for our purposes, it means that democracies cannot evaluate public policies purely on the assumption that citizens are the subjects of government, or the objects of government policy. In addition – and this is a distinctive implication of democratic government – ethical evaluation has to consider the effects of policy on citizens as governors, or potential governors, of their society and, therefore, the consequences of policy on people’s ability to see themselves as active participants in government rather than passive beneficiaries of public policy.¹² Hence, democracies must find ways of selecting people for positions of power and influence that reflect democratic ideas about political ends and means, as opposed to theocratic, aristocratic, plutocratic or epistocratic ones.

Consequently, the ethics of public policy in a democratic society involves meeting at least two important constraints that other societies might avoid. The first is that, in its design and implementation, public policy must reflect "equal respect and concern" for citizen's wellbeing and rights, to borrow Ronald Dworkin's fortunate phrase.¹³ The second is that it must also protect and foster people's capacities to share in the process of governing, however that process is conceived. Hence, as this collection shows, while democratic government comes in many forms, reflecting different political ideals, circumstances and needs, the differences between democratic and undemocratic government provide a fruitful lens for envisaging the ethics of public policy and may, on occasion, be necessary, not merely useful.

Our aim is not to replace the currently contending moralities of utility, liberal rights, republican virtue, contractualist counterfactuals or care relationships with a distinct (and presumably preferable) democratic ethics. Rather, we seek to show that it can be morally illuminating and politically helpful to understand the constraints that democracy places on public ethics, whether or not those constraints differ markedly from those suggested by alternative ethical perspectives. To put it in slightly more technical terms, we aim to investigate how democratic values, conceived as *pro tanto* or *prima facie* reasons for government action, might inform ethical reflection on public policy, bearing in mind that they may have little or no distinctive significance in some cases.

There is no one favoured view of democracy that unites the 41 chapters of this *Handbook*. Authors were not asked to take a particular "line", and they were selected, as far as possible, not just for their obvious expertise, but also to reflect the geographical, professional, and personal variety of scholars working in the field. Collections of this sort tend to be dominated by scholars who are already well known. However, much new work in ethics and public policy is being done by relatively young scholars, for whom public ethics is central to their academic work, rather than being of sporadic interest, or an outgrowth of the more traditional philosophical concerns with which they are principally occupied. Thus, while the chapters in each section complement each other and, we hope, provide an accessible and enjoyable introduction to recent work in ethics and public policy, they are written in different styles, draw on the experience of different countries, and the ideas of different thinkers. Their effect is panoramic, as well as synthetic, in ways that defy simple summary.

Our refusal to commit to a specific view of democracy should hardly come as a surprise, given the extent of philosophical and political controversy about the nature and

value of democracy. Even when different authors agree in their general normative positions about what democracy is or ought to be, they nonetheless end up disagreeing on the exact implications that these positions have for particular public policies. Some of these disagreements emerge, we think, as a natural consequence of what Rawls calls the “burdens of judgment” (Rawls 1971; 2001)¹⁴, an expression meant to capture the difficulties we confront in prioritizing competing moral values and principles, the hard selection and weighing of complex evidential matters or decisions about the least implausible instantiations of vague normative concepts. But disagreements will also arise because of the substantive variations across distinct policy areas and issues, even in cases where those areas and issues are contiguous or otherwise connected. As many of the chapters in this *Handbook* show, democratic commitments play out differently in different areas of policy - for example, in the area of warfare as compared to the field of foreign policy, and democracy does not direct us to the same kind of decisions in the domain of waste disposal policies as it does when it comes to matters of climate change.¹⁵ Hence, our *Handbook* comprises different perspectives on democracy, as well as different facets of public policy.

The absence of a unifying democratic view is furthermore motivated by theoretical considerations pertaining to the conceptual structure of democracy. Since the publication of Kenneth Arrow’s *Social Choice and Individual Values* in 1951, a rich literature has demonstrated the logical impossibility for any decision-making system to be simultaneously fully inclusive and pluralistic, respectful of majoritarian preferences, and collectively rational, although these are all democratic values, which we may want our institutions to realise.¹⁶ We have therefore encouraged our authors to focus on those democratic desiderata (if any) that seem most pertinent to the policy areas with which they are concerned. The result is a sequencing of the chapters that is meant to provide a helpful introduction to contemporary ethics and public policy, rather than tell a particular story about democracy.

Section 1 is dedicated to questions of methodology. It explores what it means to do public policy ethics today, raises questions about the contours and content of public policy ethics as a distinctive discipline, examines the ethical dimensions of cognate disciplines such as policy analysis and the place of policy ethics in the wider landscape of ethical theorizing, and considers contrasting approaches to the place and role of philosophers in the public policy process, and the public arena more generally.

Sections 2, 3 and 4 cover various substantive areas of public policy. The sections mirror a quasi-historical sequence in the theory and practice of public policy, starting from the basic idea that the public policy domain consists in whatever governments happen to be

doing at any particular moment¹⁷, while at the same time reflecting the changes in democratic policies and modes of government since the Second World War.¹⁸ Drawing on an analogy with Ian Hacking's notion of "styles of reasoning", one could see these three sections of the *Handbook* as instantiating different *styles of governing*. For Hacking, it is characteristic of styles of reasoning that they "introduce new ways of being a candidate for truth and for falsehood" (Hacking 1994: 42). Similarly, we take a style of governing to establish new dimensions whereby practical subject-matters become matters of policy concern. Though styles of governing can change the substance or scope of various policy areas, styles are also about different *ways of doing government* that underlie, define, control or revise what are considered to be the proper bounds and inner dynamic of the public policy domain.

Section 2 corresponds to a vision of government centred on the state's *de jure* monopolising of some basic domestic functions, such as the organisation of domestic security, criminal justice and education, the mediation of economic interests and regulation of finance as well as of military security in the international realm. Intuitively, these are policy areas which seem inseparable from the contemporary idea of government, the *sine qua non* of public policy.

Section 3 is concerned with a more expansive conception of government than the first, taking us from a mode of government tightly associated with the *pouvoirs régaliens*, as the French helpfully describe them, to a vision of government as a privileged agent for securing the wellbeing of individuals, no matter the ascriptive and voluntary associations to which they otherwise belong. Government has a duty to prevent poverty and to help the poor but, beyond that, it has the responsibility to dismantle those social distinctions which keep people 'in their place', and make government the preserve of a privileged elite. Thus, the chapters in this third section are concerned with a mode of governing, as much as the content of actual policies – a mode which assumes that government has a special duty to foster social solidarity and inclusion, and to enable people to have an active say – for instance, *via* electoral participation – in the way that they are governed.

Section 4 brings together a group of public policies concerned both with existential issues and questions of identity which, until recently, would have seemed to be the preserve of individuals, or of Churches and other secondary associations, rather than of government, in so far as they were seen as subject to control at all. Thus, some of the policies in this section are concerned with the future existence, quality of life, and sustainability of future citizens, as instantiated in the chapters on intergenerational justice, youth policies, new reproductive technologies, behavioural nudges, climate change, and waste policies. Others are concerned

with the responsibilities of government, faced with the inevitable, albeit often unintended, effects of government on the civic and cultural identities of citizens, and on the social standing and respect for minority ethnic, racial and religious groups. The chapters on citizenship tests, family reunification programs, language policies and policies on religious diversity and accommodation reflect this strand of contemporary public policy, with its concern for the nature and identity of citizens, and with the existential choices and threats that they face.

We hope that this sequencing of chapters will make the *Handbook* easier for readers, be they practitioners, academics, students, or simply citizens interested in particular policies. The three sections are not meant to deploy a precise historical narrative – which would in any case be impossible given the different political trajectories of contemporary democracies – and some chapters could fit in more than one section. For instance, the chapter on education could have been included in Section 2, the chapter on privacy and surveillance or the chapter on death policies in Section 3, and the chapter on language policies or the one on religious accommodations could have been inserted in Section 1. However, we hope that this ordering of the 41 chapters that make up this *Handbook* will benefit readers, and facilitate future scholarly debate.¹⁹

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This *Handbook* is dedicated to Dennis Thompson, with gratitude and admiration. His book, *Political Ethics and Public Office* (1987) remains one of the classics of the field, and the interdisciplinary ethics centre that he started and ran for many years, at Harvard’s Kennedy School of Government, has been an inspiration for numerous institutes, summer-schools, books, articles, and courses ever since. His important work in democratic political theory, and wide-ranging interests in public ethics have shaped our field, as well as our own work, as academics. We are happy to have been able to include his chapter on the ethics of electoral campaigns for this collection, a chapter that was written and revised before recent revelations about the funding and manipulative tactics of Brexit and the US presidential election, but which remains timely for all that. It is a pleasure to be able to dedicate this volume to him.

¹ This is the position underlying much of the political realism about foreign policy defended by E.H. Carr or Hans Morgenthau. For an analysis of and reply to political realism, see Coady (2008).

² The tenet that practical ethics (and, with it, public policy ethics) is not philosophy proper can be traced back to Bertrand Russell, who equates it with preaching. In a 1944 text where he defends his emotivist meta-ethics against Buchler's critique, Russell writes that "persuasion in ethical questions is necessarily different from persuasion in scientific matters. According to me, the person who judges that A is good is wishing others to feel certain desires. He will therefore, if not hindered by other activities, try to rouse these desires in other people if he thinks he knows how to do so. This is the purpose of preaching, and it was my purpose in the various books in which I have expressed ethical opinions.", in Russell (1999: 149).

³ Wolff (2011) does not believe that the gap between philosophy and politics makes public policy ethics non-sensical or pointless, as both his book and his chapter in this collection reveal.

⁴ Weber himself is more nuanced when he reflects on the relation between the "ethics of conviction" (which focuses on the morality of ends) and the "ethics of responsibility" (which concentrates on the morality of effective ends). In *Politics as a Vocation* he finds it "immeasurably moving when a mature human being (...) who feels the responsibility he bears for the consequences of his own actions with his entire soul and who acts in harmony with an ethics of responsibility reaches the point where he says, "Here I stand, I can do no other." That is authentically human and cannot fail to move us. For this is a situation that may befall any of us at some point, if we are not inwardly dead. In this sense an ethics of conviction and an ethics of responsibility are not absolute antitheses but are mutually complementary, and only when taken together do they constitute the authentic human being who is capable of having a "vocation for politics".", in Weber (2004: 92).

⁵ For an interesting attempt at carving out a *sui generis* moral space for public policy and political activity, see also Palumbo & Bellamy (2010).

⁶ There are, to be sure, quite a few public policy *analysis* handbooks, like the ones edited by Moran, Rein, and Goodin (2006), Peters & Pierre (2006), or Fischer, Miller, and Sidney (2007). Add to this the existence of a handbook that examines issues of administrative ethics (Cooper 2000, 2nd ed.), that of a handbook on the ethics of economics (Wilber 1997), that of a handbook of policy evaluation (Nagel 2002), that of a more general companion looking at global policy issues (Lawton, Van Der Wal, Huberts 2015.), and, finally, that of a collective publication that adopts a general philosophical approach to public policy (Gehring & Galston 2002). There is also a series of publications that focuses on the morality of particular public policy areas. These include: Aaron, Mann, Taylor (1994); Preston & Sampford (2012); Little (2004); Kahn & Kasachkoff (2002); Bluhm & Heineman (2007); Stewart (2009); Boston, Bradstock, Eng (2011); Bradstock, Eng, Boston (2011); Wolff (2011); Weber (2011); Cohen (2014); Searing & Searing (2016). This indicates that public policy ethics is thriving, but in a state of disciplinary fragmentation that we wish to alleviate in and through this handbook.

⁷ An abridged version of Williams' report on Obscenity and Film Censorship is available at https://assets.cambridge.org/97811071/13770/frontmatter/9781107113770_frontmatter.pdf; a link to Mary Warnock's 1978 report on special educational needs can be found here: <http://www.educationengland.org.uk/documents/warnock/>, and the link to Warnock's 1984 Report on Human Fertilisation and Embryology is available here <https://embryo.asu.edu/pages/report-committee-inquiry-human-fertilisation-and-embryology-1984-mary-warnock-and-committee>; The 2007 Bouchard-Taylor report on 'reasonable accommodation' can be found at <https://www.mce.gouv.qc.ca/publications/CCPARDC/rapport-final-integral-en.pdf>; the Report of the Stiglitz-Sen-Fitoussi Commission on the Measurement of Economic Performance and Social Progress is available at <http://ec.europa.eu/eurostat/documents/118025/118123/Fitoussi+Commission+report>

⁸ See, in particular, MacKinnon (1997); Minow (1990); Roberts (1997; 2002), and Tremain (1999).

⁹ See Thompson (1987), Palumbo & Bellamy (2010), Wolff (2011).

¹⁰ Rorty initially uses the phrase to deflate thick conceptions of objectivity and science, but he later extends it to (liberal) moral and political normativity as well. See Rorty (1991: 101). This comes close, but differs from, Bernard Williams' contention that liberalism is the way we make sense of political legitimacy "now and around here", in Williams (2005: 7-12).

¹¹ Democratic legitimacy is defeasible in that there may be forms of undemocratic government which are properly considered legitimate. On this issue, see Rawls (2001b); Cohen (2009: 349-372), Miller (2015: 177-192). Moreover, democratic governments may lose their legitimacy through such grave violations of human rights that citizens are released from their duty to obey. So even if it is reasonable to grant democracies a presumptive legitimacy that other forms of government lack, being democratic is neither necessary nor sufficient for legitimacy.

¹² In this respect, we find ourselves concurring with democratic approaches to public policy analysis, like the one formulated by Schneider & Ingram (1997), who describe policies that fail to involve ordinary citizens as degenerative processes.

¹³ Dworkin (1977).

¹⁴ Rawls (1971; 2001a).

¹⁵ Thus, Christopher Kutz points to democracy working as a side-constraint on warfare, while Michael Blake focuses on equality and toleration as values that should be promoted *via* foreign policy.

¹⁶ See, in particular, List (2011).

¹⁷ On definitions of *public policy*, see, most notably, Dye (1972), and, for a useful recent discussion, Howlett & Cashore (2014).

¹⁸ We would like to thank Toon Kerkhoff, Frits van der Meer, Natascha van der Zwan, Alexandre Afonso, and Elena Bondarouk for useful discussions on this quasi-historical ordering.

¹⁹ Another advantage of this normatively non-committal ordering is that it lends itself to multiple scholarly interpretations. For instance, one could read it as deploying a narrative about the metamorphosis of the state's scope of action and intervention, moving from a watchman state (Section 1) to a welfare state (Section 2) to an enabling state (parts of Section 2 and Section 3). Alternatively, for those who might choose to assess the morality of public policy on the basis of human rights standard, one could draw a rough parallel between our three sections and Karel Vasak's (1977) famous division of human rights into three generations (civil and political, social and economic, and developmental human rights) or connect our ordering to the lively debates prompted by T.H. Marshall (1949/1950) about the state's evolving responsibilities toward its citizens.