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ABSTRACT

In this article, David Rosenbloom suggests five limitations of the 2004 *J-PAE* symposium on Social Equity in Public Affairs Education. He offers five injunctions, paralleling those limitations, to guide discussion: don't forget the rule of law; define social equity; confront the inequities of social equity; explain the advantages, if any, of applying the term social equity to standard, longstanding subject matter in MPA education; and avoid stealing popular sovereignty.

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The April 2004 *J-PAE* symposium, Social Equity in Public Affairs Education, offered an opportunity to learn more about the concept of social equity and how it can be integrated into MPA curricula. According to several of the authors' definitions, I have been teaching and writing about social equity for more than three decades, particularly in the areas of representative bureaucracy, equal employment opportunity, affirmative action, and constitutional equal protection, due process, and protections for prisoners and individuals confined to public mental health facilities. The symposium was clearly a good start at taking social equity more seriously in MPA education. However, it also has at least five substantial limitations that may well impede the authors' objectives of bringing social equity into the core of the MPA curriculum. In addressing these, I hope to advance the treatment of social equity in the classroom.

1. Don't forget the rule of law. Contributor Ernest J. Wilson III notes that "[e]quity remains important...but national interest must be brought to the fore" (160). Ditto, the rule of law. Building on separate work by the National Academy of Public Administration's Social Equity Committee, Susan Gooden, Samuel L. Meyers, Jr., James H. Svara, James R. Brunet, Susan White, and Anna M. Agathangelou endorse social equity as "the third pillar" of a field of public administration which has as its "first and second pillars...the normative touchstones of...effectiveness and efficiency" (Gooden and Myers, 2004a, 94; Agathangelou, 156, identifies one of the pillars as economy rather than effectiveness). Surely the rule of law is at least a pillar, if not the very foundation of public administration in democratic governments. Contributor Lacy Ward, Jr., makes the point that "[t]he Constitution forms the foundation of our study of American public affairs" (159). However, other contributors treat the rule of law as a subordinate component of social equity itself (Svara and Brunet, 103) or, following White, ultimately of little practical significance: "the law is rarely so clear and precise that it can uniformly be applied from case to case.... [I]f public administration is the law in action, then it inevitably requires interpretation and discretion in its applications" (White, 114; my emphasis).

One could obviously question whether effectiveness and efficiency themselves are separate pillars or if they are more important to public administration in democratic government than accountability and transparency. However, are MPA students really to be taught that the rule of law is not among the pillars of contemporary public administration in democracies? Not emphasizing the rule of law is unimaginable in the face of Abu Ghraib, the Supreme Court's strong rebuke of President George W. Bush's unconstitutional claims of extravagant executive powers with regard to "enemy combatants" (*Rasul v. Bush,* No. 03-334 [2004]; *Hamdi v. Rumsfeld,* No. 03-6696 [2004]), and all too frequent troubling illegal activity, including racial profiling, by street-level bureaucrats. White says or implies that public administrators have a "duty" to "redistribute resources" (113). It will serve MPA students better to understand that public administrators are bound by the rule of law to implement regulations, such as regressive taxes, that may not comport with concepts of social equity, just as they must obey open meeting and freedom of information requirements that may impede efficiency.

2. Define social equity. As Gooden and Myers and Svara and Brunet indicate, social equity is difficult to define. This is worrisome for a term that gained prominence in the field of public administration as far back as 1968. Gooden and Myers define social equity tautologically as "fairness or social justice" (92) and explain it in terms of distributive justice and diversity (which are not necessarily compatible). Mitchell F. Rice draws a distinction between social equity and diversity, the former being "fairness and equal treatment in public service delivery and public policy implementation" (143) and the latter, essentially, representative bureaucracy. White quotes the National Academy of Public Administration's unhelpful declamation that "[s]ocial equity is, then, the balancing of various forms of equality" (111). Svara and Brunet explain that "[f]airness, justice, and equitable distribution are viewed as normative cornerstones of equity" (101). However, in their view, "social equity" is "hollow" (100).

A hollow pillar might work in architecture but not in pedagogy. Svara and Brunet fill it in with consideration of public administrators' "ethical and legal obligation to ensure that Constitutional rights are protected," "distributional equity," "consistency in the quality of existing services delivered to groups and individuals," and "examination of whether policies and programs have the same impact for all groups and individuals served" (101-102).

Aside from more tautology, Svara and Brunet confound equity and social equity. Their discussion of procedural fairness and due process fails to note that constitutional procedural due process is overwhelmingly an individual right, not one that protects large groups from unfair deprivation of liberty or property by government. This has been the constitutional rule since 1915 (*Bi-Metallic Investment Co. v. State Board of Equalization of Colorado,* 239 U.S. 441). Constitutional equal protection is better suited to the social in social equity. However, it requires race- and ethnicity-based public policies to be "narrowly tailored," which in turn mandates that applicants for public university education (and other public benefits) be given "individualized consideration" (*Gratz v. Bollinger,* No. 02-516 [2003]; majority slip opinion, 26-27).

Of course, social equity is not the only term or concept that cannot be well defined or specified in MPA education. Justice, representation, political power, and the public interest are perhaps equally elusive. One can teach about these ideas without having perfect definitions. Still, it is difficult to tell students they should do something ill-defined, especially when, as Gooden and Myers show (91), there are apt to be multiple competing ideas about what constitutes social equity in even simple distributional matters. Absent a coherent definition, how are students to recognize a breach of social equity or know whether it is so severe as to warrant a trade-off against the other two pillars or additional administrative concerns?

Gooden and Myers (2004b, 172) sidestep the definitional conundrum by calling for social equity analysis. However, disparity itself does not necessarily constitute a violation of social equity unless the latter is defined to include any deviation from absolute equality—and such a definition would be

unworkable. Consider Jay Shafritz and William Russell's claim that social equity is "the principle that each citizen, regardless of economic resources or personal traits, deserves and has a right to be given equal treatment by the political system" (quoted by Svara and Brunet, 105). Strictly following this approach, public personnel systems and state universities would violate social equity by distinguishing between applicants who are intelligent and unintelligent, achievers and nonachievers, motivated and unmotivated, leaders and followers, honest and dishonest—and still the rich and the poor could be forbidden alike from sleeping on park benches. It is incumbent on those who would make social equity a mainstay of the MPA curriculum to strive to provide a clearer, operational definition.

3. Confront the inequities of social equity. Achieving social equity, reasonably defined, is not likely to establish Pareto optimality. The public interest may be served, but there are apt to be winners and losers. The Fifth Amendment's takings clause guarantees just compensation for the latter when their real property is taken for public use. However, there is no guarantee of compensation when the inclusion of some requires the exclusion of others from a public benefit. Rice alludes to this in noting that resistance to affirmative action may take the form of "perceived fears of reverse discrimination" (151). Not all such discrimination is reverse, though. One minority group may have its opportunities for a public benefit, such as state university education, limited to enhance the inclusion of other minorities. Moreover, even the included may suffer inequity.

Justice Clarence Thomas cautions proponents of social equity to consider the full impact of measures to achieve diversity. Writing on federal efforts to funnel funds for transportation infrastructure to minority owned businesses, Thomas contends:

> These federal programs not only raise grave constitutional questions, they also undermine the moral basis of the equal protection principle. Purchased at the price of immeasurable human suffering, the equal protection principle reflects our Nation's understanding that such classifications ultimately have a destructive impact on the individual and our society. Unquestionably, "[i]nvidious [racial] discrimination is an engine of oppression,".... It is also true that "[r]emedial" racial preferences may reflect "a desire to foster equality in society,".... But there can be no doubt that racial paternalism and its unintended consequences can be as poisonous and pernicious as any other form of discrimination. So-called benign discrimination teaches many that because of chronic and apparently immutable handicaps, minorities cannot compete with them without their patronizing indulgence. Inevitably, such programs engender attitudes of superiority or, alternatively, provoke resentment among those who believe that they have been wronged by the government's use of race. These programs stamp minorities with a badge of inferiority and may cause them to develop dependencies or to adopt an attitude that they are entitled to preferences (*Adarand Constructors, Inc. v. Pena,* 515 U.S. 200, 240-241 [1995], concurring opinion; internal citations omitted, brackets and internal quotes are in the original text).

Failure to treat such concerns as research propositions or hypotheses[1] drastically limits the possible utility of case studies such as David W. Pitts and Lois Recascino Wise's comparison of a single university's law school and school of public affairs on the dimensions of faculty and course diversity (125-142). In a case study of such limited scope, shouldn't one at least explore the extent to which faculty and students perceive unfairness and other negative effects of efforts to promote diversity? Perhaps Thomas seriously overstates such effects.

4. Explain the advantages, if any, of applying the term social equity to standard, longstanding subject matter in MPA education. Svara and Brunet fill in the hollow pillar of social equity with constitutional rights and representativeness (103). Why not teach law as law and political values and phenomena as political values and phenomena? The rule of law and allegiance to the Constitution require public

administrators to divide Gooden and Myers' hypothetical pie in accordance with the relatively concrete dictates of equal protection rather than the admittedly ill-defined tenets of social equity. Equal protection doctrine identifies the constitutional tests that public policy classifications based on race, ethnicity, gender, age, residency, wealth, and other factors must meet, whether or not Gooden, Myers, and MPA students find them socially equitable. It may be fine for MPA faculty and students to advocate social equity, but public administrators have to do equal protection on the job. Similarly, Svara and Brunet refer to "representativeness" as "[a]n important consideration for social equity proponents" with respect to "the racial, ethnic, and gender composition of the public workforce" (103). This subset of representativeness is easily taught with reference to civil service and equal employment opportunity law as well as representative bureaucracy—a concept that has been in the field's literature since 1944. The federal Civil Service Reform Act of 1978 calls for a federal civilian workforce drawn from "all segments of society" and provides a formal definition and measure of the "underrepresentation" of minority groups (92 Stat. 1111; 1113, 1152). The statute already defines such underrepresentation as a public policy problem. What is gained in MPA education by adding that it may be a social equity problem, depending on how social equity is defined and operationalized?

What is lost in filling in the hollow pillar of social equity in Svara-Brunet fashion is clear. First, public administration's intellectual history is obscured. Constitutional rights and representative bureaucracy preceded social equity in the field's development and were developed largely—perhaps entirely—without reference to it. Although labeling such concerns social equity may be convenient shorthand or marketing, it hides the fact that these subjects stood and can continue to stand on their own. Second, social equity, reasonably defined, is muddled when it is treated as a pillar built of sometimes incompatible concerns and concepts. Equal protection permits public schools attended predominantly by ethnic minorities to receive lower per pupil funding than those in the same district with largely non-minority student bodies (*San Antonio Independent School District v. Rodriguez,* 411 U.S. 1 [1973]). Such unequal funding is a subject for social equity analysis, but how would this feature of equal protection help fill the hollow pillar? Third, the overall coherence of concepts like equal protection and representative bureaucracy may be lost when some of their aspects are said to be in the third pillar, whereas others remain outside. As a political concept, representative bureaucracy is more inclusive than social equity. It may address geographic, tribal, and other dimensions of representation regardless of whether they are relevant to social equity issues in a particular polity. For instance, representative bureaucracy often considers religious representation, which neither Svara and Brunet (103) nor Agathangelou (156) mention as a social equity concern.

5. Avoid stealing popular sovereignty. In his strident attack on the New Public Administration, *Without Sympathy or Enthusiasm,* Victor Thompson (1975, 66) warned public administration faculty against attempting "to 'steal' popular sovereignty." His point was that, being a profession of government, public administrators may be free to advocate values such as social equity, but they need democratic-constitutional legitimation to impose those values on the political system. Orthodox U.S. public administration tried to impose efficiency as the highest administrative value ("axiom number one," in Luther Gulick's well known words (1937a, 638)). Gulick (1937b, 455) justified imposing efficiency without recourse to consent by the public or the constitutional branches of government by claiming that "[e]fficiency is one of the things that is good for him [the common man] because it makes life richer and safer." The Orthodoxy foundered on this score because Congress, the president, and the federal courts viewed other values, including transparency, representativeness, and individual rights, as more important in federal administration. White echoes Gulick's approach in asserting that

> [a]s public administrators, our duty [with regard to "tribulations associated with race"] to the citizens we serve is to become a means for

> achieving compromise and for struggling for social change. Our process should be to redress injustices, redistribute resources, and improve the atmosphere in which people live and work (113).

Clearly, public administrators need a mandate from the constitutional branches of government to legitimate their pursuit of redistribution and social change, just as they would to justify repression in the name of administrative efficiency or national security. As Justice Thomas notes, efforts to promote social equity, like the quest for other laudable administrative goals, can lead to misguided, injurious, and unconstitutional actions.

In contrast to White, Svara and Brunet urge public administrators to tread carefully around theft of popular sovereignty. They contend that

> public administrators have a responsibility to promote fairness, justice, and equitable distribution in policy formulation, implementation, and management and to critically examine the impact of government actions. Defining responsibility in this way assumes that administrators play an active role in policy-making and that their efforts to shape policy should include giving explicit attention to the implications of alternative approaches for equity (102).

Advocacy, not imposition of personal and professional values, should be the rule.

Concluding Observations

The five points above seem most in need of attention if social equity is to become a pillar of the MPA curriculum. In closing, two claims in the symposium merit challenge. First, Svara and Brunet incorrectly assert that "[t]he current stock of introductory textbooks cover social equity in one of two ways—as a stand alone chapter...or as a prominent feature in a human resources section" (108). My book, with Robert Kravchuk, *Public Administration: Understanding Management, Politics, and Law in the Public Sector* (fifth ed., 2002; sixth ed. 2005) does not index social equity. However, it integrates subject matter explicitly considered by Svara and Brunet as filler in the hollow pillar of social equity into twelve of its thirteen chapters: procedural due process appears in six chapters; equal protection in seven chapters; fairness and fair adjudication in four chapters; remedial law, which the symposium largely ignores as a vehicle for promoting social equity, in three chapters; and Chapter 11 is devoted entirely to the treatment of "Public Administration and Democratic Constitutionalism." Second, as the book explains, management, politics, and law, each derived from the constitutional separation of powers, provide a broader and stronger basis for U.S. public administration than the so-called pillars of efficiency, effectiveness, and social equity (see also Knowles and Riccucci, 2001; Reed and Meyer, 2004).

Note

1. Nine years' worth of classroom discussions of Thomas' assertions with both pre-service and in-service MPA students, at least 25 percent of whom are members of minority groups, strongly suggests that Thomas is far from alone in his beliefs on these matters.

References

Agathangelou, Anna M. 2004. "What is to be Done? Globalization and Social Equity." *Journal of Public Affairs Education,* 10(2):155-158.

Civil Service Reform Act. 1978. PL 95-454 (October 13).

Gooden, Susan T., and Samuel L. Myers, Jr. 2004a. "Social Equity in Public Affairs Education." *Journal of Public Affairs Education,* 10(2):91-97.

_____. 2004b. "Social Equity Analysis and Management: What MPA and MPP Students Need to Know." *Journal of Public Affairs Education,* 10(2):172-175.

Gulick, Luther. 1937a. "Science, Values and Public Administration." In Luther Gulick and L. Urwick, eds., *Papers on the Science of Administration,* New York: Institute of Public Administration as reprinted in "Special Issue on Luther Gulick and 'Papers on the Science of Administration," 1998, *International Journal of Public Administration,* 21(2-4):635-641.

_____. 1937b. "Notes on the Theory of Organization." In Luther Gulick and L. Urwick, eds., *Papers on the Science of Administration,* New York: Institute of Public Administration as reprinted in "Special Issue on Luther Gulick and 'Papers on the Science of Administration," 1998, *International Journal of Public Administration,* 21(2-4):445-489.

Knowles, Eddie Ade, and Norma M. Riccucci. 2001. "Drug Testing in the Public Sector: An Interpretation Grounded in Rosenbloom's Competing Perspectives Model." *Public Administration Review,* 61(4):424-431.

Pitts, David W., and Lois Recascino Wise. 2004. "Diversity in Professional Schools: A Case Study of Public Affairs and Law." *Journal of Public Affairs Education,* 10(2):125-142.

Reed, Christine M., and Kyle P. Meyer. 2004. "Medicaid Managed Care for Children with Special Health Care Needs." *Public Administration Review,* 64(2):234-242.

Rice, Mitchell, F. 2004. "Organizational Culture, Social Equity, and Diversity: Teaching Public Administration Education in the Postmodern Era." *Journal of Public Affairs Education,* 10(2): 143-154.

Rosenbloom, David H., and Robert S. Kravchuk. 2002, 2005. *Public Administration: Understanding Management, Politics, and Law in the Public Sector,* fifth and sixth eds. New York: McGraw-Hill.

Svara, James H., and James R. Brunet. 2004. "Filling in the Skeletal Pillar: Addressing Social Equity in Introductory Courses in Public Administration." *Journal of Public Affairs Education,* 10(2):99-109.

Thompson, Victor. 1975. *Without Sympathy or Enthusiasm.* University: University of Alabama Press.

Ward, Lacy, Jr. 2004. "A Critical Social Equity Component of Public Affairs Education: The Role of the Civil Rights Movement." *Journal of Public Affairs Education,* 10(2):158-160.

White, Susan. 2004. "Multicultural MPA Curriculum: Are We Preparing Culturally Competent Public Administrators?" *Journal of Public Affairs Education,* 10(2):111-123.

Wilson, Earnest J., III. 2004. "From Social Equity to National Security: Shifting Rationales for Enhanced Diversity." *Journal of Public Affairs Education,* 10(2):160-165.

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