**INF 390N PRIVACY, SURVEILLANCE, AND NATIONAL SECURITY**

**Unique number 27329**

Dr. Philip Doty

School of Information

Technology and Information Policy Institute

Center for Women’s and Gender Studies

University of Texas at Austin

Fall 2020

Class time: Tuesday 3:00 – 6:00 PM

Place: All meetings online, most synchronous online by Zoom, some asynchronous

Office: UTA 5.452

Office hours: By appointment

Online through Zoom, by email, or by phone

Telephone: 512.471.3746 – personal office

512.471.2742 – iSchool receptionist

512.471.3821 – main iSchool office

Email: pdoty@ischool.utexas.edu

Class URL: https://utexas.instructure.com/courses/1282353

**LAND ACKNOWLEDGEMENT**

Thanks to Professor Loriene Roy of the UT iSchool for the following. Dr. Roy introduces herself as Anishinabe, enrolled on the White Earth Reservation, a member of the Minnesota Chippewa Tribe. Her father was Mississippi Band, her mother is Pembina Band, and, in her words, “we are mukwa, bear clan”:

We acknowledge that the iSchool sits on indigenous land. The Tonkawa lived in central Texas and the Comanche and Apache moved through this area. Today, various indigenous peoples from all over the globe visit Austin and/or call it home. We are grateful to be able to study and learn on this piece of Turtle Island.  Since our class is online, you may be contributing from other tribal lands. Here is a map that may help you in identifying the indigenous peoples of the land on which you study: <https://native-land.ca/>

To read more about land acknowledgement, see: Stewart, Mariah, "Acknowledging Native Land is a Step Against Indigenous Erasure," Insight Into Diversity, December 19, 2020. Available at: <https://www.insightintodiversity.com/acknowledging-native-land-is-a-step-against-indigenous-erasure/>

Many thanks to Dr. Roy for this acknowledgement and permission to quote her identification statement.

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**INTRODUCTION TO THE COURSE**

During the fall 2020 semester, INF 390N Privacy, Surveillance, and National Security will have most of its 14 class meetings synchronously online. There will also be at least one asynchronous meeting and a number of asynchronous activities, enabled mostly through the course management platform Canvas. Most of the semester, however, we will meet through Zoom at the appointed class meeting time: Tuesday 3:00 – 6:00 PM Central time.

INF 390N welcomes graduate students from across UT. Earlier iterations of the course have drawn graduate students from the College of Communication (especially the departments of Radio-TV-Film [RTF] and Communication Studies) the LBJ School of Public Affairs, Business (especially the department of Information, Risk, and Operations Management [IROM]), and from various departments in the Colleges of Education and Liberal Arts, all of whom were integral contributors to the courses.

The course includes systematic study of public policy in the United States, including examination of the foundations of what public policy and its study are. The course also provides a brief introduction to U.S. federal information policy, with emphasis on privacy and surveillance in the post-9/11 environment and brief consideration of American intelligence work. Important components of the course include engagement of significant theories of surveillance and privacy, with a special eye toward inherent tensions between democratic, open civil society and security concerns of the state. We will also consider the primacy and critique of risk assessment as the framework for U.S. security decisions.

A particularly important outcome of the course is the development of what I term **policy thinking**. What this short phrase indicates is the need to move beyond the strictly personal or enterprise-specific perspective in considering policy questions, e.g., “well, here’s what I think or what my organization thinks, and here’s why everyone who disagrees with us is wrong.” Instead students must develop a more scholarly and systematic perspective on policy questions related to public policy generally as well as to privacy, surveillance, and national security. That imperative is of special importance in avoiding the simple binary characterization of policy issues that characterizes many colloquial understandings of public policy, especially talking of simple binary sides of policy conflicts, e.g., right/left, conservative/liberal, Republican/Democrat, and so on.

At the same time, however, the development of policy thinking does NOT mean asking students to extinguish their own political commitments and values. Instead, policy thinking aims to help students maintain, enrich, and express their own informed opinions. Thus, mutual respect, open engagement of ideas, and academic courtesy are especially important in a course such as this that openly engages political and social questions deeply laden by and implicated by values. That character itself will be one of our objects of study this semester.

Another way to understand INF 390N this semester is as a response to the question: how can we systematically understand public policy related to privacy, surveillance, and national security? Answers to that question involve a broader and deeper policy thinking perspective that includes:

* An understanding of the historical bases of policy issues, i.e., important policy conflicts of public interest
* An ability to identify and make explicit important sources of consensus and dissensus about these policy issues
* An ability to identify key policy stakeholders and actors related to these issues
* A willingness to recognize that **many actors in the policy space have reason**. That is, we recognize that reasonable people will disagree about what can and should be done about important policy issues. Further, the policy researcher recognizes that the policy system is meant, in part, to reveal and adjudicate among these conflicting perspectives and value judgments.

Please also refer to the course handout *What Are Public Policy and its Study?* (Doty, 2019).

Among the outcomes of this course, students will:

* Understand politics as a process for managing conflict among values
* Have an overview of how privacy, surveillance, national security, and public policy relate to each other especially in the U.S.
* Understand key policy areas and better understand major public policy initiatives, especially through more analytic, historical, and theoretically grounded understanding of public policy conflicts and politics
* Possess a professional command of important public policy terms and concepts
* Understand the co-evolution of policy and information technologies related to privacy, surveillance, and national security
* Be able to analyze critically the implications of public policies for privacy, surveillance, and national security
* Appreciate the multiple roles of networked digital technologies in public policy conflicts
* Be better prepared to influence the policy system in their professional roles and as private citizens
* Understand the complex relationship of public policy with private sector initiatives, devices, and services
* Have practiced communicating in written and oral form about fractious policy conflicts in a collegial and scholarly way.

Further, students will have developed a number of observable and measurable abilities and attitudes:

1. Students will be able to summarize and describe the implications of specific policy instruments and concepts that are relevant to privacy, surveillance, and national security
2. Students will be able to discuss the “policy process” and identify where contemporary public policy areas of dissensus, i.e., issues, are in this process.
3. Students will be able to articulate when a problem might be considered a public problem, and evaluate a variety of different contemporary problems to determine whether those problems are public.
4. Students will be able to describe how policy is proposed and implemented in the U.S. federal legislative, executive, and judicial branches, as well as where to find some of the important discussions and documentation related to policy instruments.

The specific course plan may evolve as necessity and other factors dictate, especially students’ interests and professional goals.

# EXPECTATIONS OF STUDENTS’ PERFORMANCE

Students will be involved and vigorous participants in class discussions and in the conduct of the class, whether synchronous or asynchronous. To the extent possible, the instructor aims to have every student participate in every class meeting’s discussion. In addition, students must:

* Attend all class sessions. Notifying the instructor ahead of time is crucial. Further, if a student misses a class, it is her responsibility to arrange with another student to obtain all notes, handouts, and assignment sheets.
* Read all material prior to class. Students are expected to use the course readings to inform their classroom participation and their writing. Students must integrate what they read with what they say and write. This last imperative is essential to the development of professional expertise and to the development of a collegial professional persona.
* Educate themselves and their peers. Successful completion of graduate programs and participation in professional life depend upon a willingness to demonstrate initiative and creativity. Participation in the professional and personal growth of colleagues is essential to one’s own success as well as theirs. Such collegiality is at the heart of scholarship, so some assignments are designed to encourage collaboration.
* Spend at least 3-4 hours in preparation for each hour in the classroom; therefore, a 3-credit graduate hour course requires a minimum of 10-12 hours per week of work outside class.
* Participate in all class discussions.
* Complete all assignments on time. Late assignments will not be accepted except in the limited circumstances noted below. Failure to complete any assignment on time will result in a failing grade for the course.
* Be responsible with collective property, especially e-books and other shared material.
* Ask for help from the instructor in class, during office hours, via Zoom, telephone, email, or in any other appropriate way. Email is especially useful for information questions, and the instructor will ordinarily respond to a message within 24 hours.

**Academic integrity** is paramount in the academy and professional life. The UT Dean of Students has an excellent, brief summary of means for ensuring academic integrity at (https://deanofstudents.utexas.edu/conduct/academicintegrity.php); see the three links there.

**Academic dishonesty**, such as plagiarism, cheating, or academic fraud is intolerable and will incur severe penalties, including failure for the course. All instances of academic dishonesty will be reported to both the iSchool administration and the UT Dean of Students. If there is concern about behavior that may be academically dishonest, students should consult the instructor.

The instructor is happy to provide all appropriate accommodations for students with documented disabilities. The University’s Office of the Dean of Students at 471.6259, 471.4641 TTY, can provide further information and referrals as necessary.

**ANALYSIS AND HOLISM IN READING, WRITING, AND PRESENTING**

Students in this class must be analytic in their reading of others' work, in their own writing, and in their presentations. What follows are suggestions for developing analytic and critical methods of thinking and communication. These suggestions are also indications of what you should expect from the writing and speaking of others.

At the same time, however, please remember that a holistic, integrative understanding of context must always complement depth of analysis.

* First and foremost, maximize clarity – be clear, but not simplistic or patronizing.
* Remember that writing is a form of thinking, not just a medium to display the results of thinking. Make your thinking and writing engaging, reflective, and clear.
* Provide enough context for your remarks that your audience can understand them but not so much that your audience's attention or comprehension is lost.
* Be specific.
* Avoid jargon, undefined terms, undefined acronyms, colloquialisms, clichés, and vague language.
* Give examples.
* Be critical, not dismissive, of others' work; be skeptical, not cynical.
* Answer the difficult but important questions: How? Why? So what?
* Support assertions with evidence.
* Make explicit why evidence used to support an assertion does so.
* Identify and explore the specific practical, social, and intellectual implications of any potential courses of action you recommend or describe.
* Be evaluative. Synthesize and internalize existing knowledge without losing your own critical point of view.
* Identify the specific criteria against which others' work and options for action will be assessed.

See the Standards for Written Work, Suggestions for Writing Policy Analysis, and the assignment descriptions in this syllabus for further explanations and examples.

**STANDARDS FOR WRITTEN WORK**

Every writer is faced with the problem of not knowing what her audience knows; therefore, effective communication depends upon maximizing clarity, especially in professional writing. Similarly, good writing makes for good thinking and vice versa. Friedman & Steinberg remind us that “reading, writing, and thinking are interrelated” and are all essential to learning ((1989, xiii and p. 9).

Recall that writing is a form of inquiry, a way to think, not a reflection of some supposed static thought “in” the mind. Writing is not only a means to communicate with others, but is also a means to discover our own ideas more completely and in context, “to learn the full meaning of these ideas by seeing them in relation to each other” (Friedman & Steinberg, p. 22). For example, well known political theorist and public policy expert Aaron Wildavsky argues convincingly in *Craftways: On the Organization of Scholarly Work* (1989, p. 9):

I do not know what I think until I have tried to write it. Sometimes the purpose of writing is to discover whether I can express what I think I know; if it cannot be written, it is not right. Other times I write to find out what I know; writing becomes a form of self discovery . . . . [F]ew feelings compare with the exhilaration of discovering a thought in the writing that was not in the thinking.

Wildavsky’s book is now in its seventh enlarged edition published in 2019 and available as an e-book in the UT Libraries. And please remember that we need not adopt the incipient positivism to appreciate Wildavsky’s point.

What follows is some specific advice to help students meet professional standards of clarity, grammar, spelling, and organization in written assignments. The instructor uses this advice to evaluate all assignments, so students should be sure to review these standards before and after writing.

All written work for the class must be done on a word-processor and double-spaced, with 1" margins all the way around and in either 10 or 12 pt. font, in one of three font styles: Times, Times New Roman, or Palatino.

Some writing assignments demand the use of references and may require either footnotes or endnotes. It is particularly important in professional schools such as the School of Information that notes and references are impeccably done. In this course, students must use APA (American Psychological Association) standards. There are other standard bibliographic and note formats, for example, in engineering and law, but social scientists and a growing number of humanists use APA. Familiarity with standard formats is essential for understanding others' work and for preparing submissions to professional societies, journals, funding agencies, professional conferences, and the like. Students should **always follow the instructors’ directions** for written work but may also consult the *Publication Manual of the American Psychological Association* (2019, 7th ed.) and Purdue’s OWL Web site (https://owl.purdue.edu/owl/research\_and\_citation/apa\_style/apa\_formatting\_and\_style\_guide/general\_format.html/).

Students should **not use a general dictionary or encyclopedia** for defining terms in graduate school or in professional writing. Instead, students should consult a specialized dictionary, e.g., *The Cambridge Encyclopedia of Philosophy*; subject-specific encyclopedia, e.g., the *International Encyclopedia of the Social and Behavioral Sciences*; and/or a glossary or dictionary provided by a reputable professional association. The best alternative, however, is having an understanding of the literature related to the term sufficient to provide a definition in the context of the literature.

Students should always use a spell checker but be aware that spell checking dictionaries have systematic weaknesses: they exclude most proper nouns, e.g., personal and place names; they omit most technical terms; they omit most foreign words and phrases; and they cannot identify homophones, e.g., "there" instead of "their,” or the error in writing "the" in place of "them."

It is important to **proofread work thoroughly** and be precise in editing it. It is often helpful to have someone else read one’s writing, to eliminate errors and to increase clarity. Reading one’s work aloud is another widely used strategy for improving one’s writing. While the instructor relies on submission of all assignments in Canvas to the appropriate Assignment folder, please be certain that all assignments clearly indicate:

• The title of the assignment

• The student’s name

• The date

• The class number and title – INF 390N Privacy, Surveillance, and National Security.

The instructor will be happy to address any questions about these standards.

Since the production of professional-level written work is one of the aims of the class, the instructor reads and edits students’ work as the editor of a professional journal or the moderator of a technical session at a professional conference would. The reminders below help produce professional written work appropriate to any situation. Note the asterisked errors in #'s 2, 3, 8, 10, 11, 14, 15, 18, 20, and 24 (some have more than one error):

1. Number all pages after the title page. Notes and references do not count against page limits.
2. Use formal, academic prose. Avoid colloquial language, \*you know?\* Graduate work and professional communication should avoid failures in diction – be serious and academic when called for, be informal and relaxed when called for, and be everything in between as necessary. For this course, avoid words and phrases such as "agenda," "problem with," "deal with," "handle," "window of," "goes into," "broken down into," "viable," and "option."
3. Avoid clichés. They are vague, \*fail to "push the envelope."\*
4. Avoid computer technospeak such as "input," "feedback," or "processing information" except when using such terms in specific technical ways.
5. **Avoid using “content” as a noun.**
6. Do not use the term "relevant" except in its information retrieval sense. Ordinarily, it is a colloquial cliché, but it also has a strict technical meaning related to information retrieval in information studies and cognate disciplines.
7. Do not use "quality" as an adjective; it is vague, cliché, and colloquial. Instead use "high-quality," "excellent," "superior," or whatever more formal phrase you deem appropriate.
8. Study the APA style convention for the proper use of ellipsis\*. . . .\*
9. Generally, avoid using the terms "objective" and "subjective" in their evidentiary senses; these terms entail major philosophical, epistemological controversy. Avoid terms such as "facts," "factual," "proven," and related constructions for similar reasons.
10. Avoid contractions. \*Don't\* use them in formal writing.
11. Be circumspect in using the term "this," especially in the beginning of a sentence. \*THIS\* is often a problem because the referent is unclear. Pay strict attention to providing clear referents for all pronouns. Especially ensure that pronouns and their referents agree in number; e.g., "each person went to their home" is a poor construction because "each" is singular, as is the noun "person," while "their" is a plural form. Therefore, either the referent or the pronoun must change in number.
12. "If" ordinarily takes the subjunctive mood, e.g., "If he were only taller," not “was.”
13. Put "only" in its appropriate place, near the word it modifies. For example, it is appropriate in spoken English to say that "he only goes to Antone's" when you mean that "the only place he frequents is Antone's." In written English, however, a better rendering is, "he goes only to Antone's."
14. Do not confuse possessive, plural, or contracted forms, especially of pronouns. \*Its\* bad.
15. Do not confuse affect/effect, compliment/complement, or principle/principal. Readers will not \*complement\* your work or \*it's\* \*principle\* \*affect\* on them.
16. Avoid misplaced modifiers. For example, it is misleading to write the following sentence: As someone interested in the history of Mesoamerica, it was important for me to attend the lecture. The sentence misleads because the phrase "As someone interested in the history of Mesoamerica" is meant to modify the next immediate word, which should then, obviously, be both a person and the subject of the sentence. It should modify the word "I" by preceding it immediately. One good alternative for the sentence is: As someone interested in the history of Mesoamerica, I was especially eager to attend the lecture.
17. Avoid use of "valid," "parameter," "bias," "reliability," and "paradigm," except in limited technical ways. These are important research terms and should be used with precision.
18. The words "data," "media," "criteria," "strata," and "phenomena" are still all PLURAL forms. They \*TAKES\* plural verbs. Unfortunately, that is no longer true for “opera” and “agenda.”
19. "Number," "many," and "fewer" are used with plural nouns (a number of horses, many horses, and fewer horses). “Amount," "much," and "less" are used with singular nouns (an amount of hydrogen, much hydrogen, and less hydrogen). Another useful way to make this distinction is to recall that "many" is used for countable nouns, while "much" is used for uncountable nouns.
20. \*The passive voice should generally not be used.\*
21. "Between" denotes two alternatives, while "among" three or more.
22. Generally, avoid the use of honorifics such as Mister, Doctor, Ms., and so on when referring to persons in writing, especially when citing their written work. Use last names and dates as appropriate in APA.
23. There is no generally accepted standard for citing electronic resources. If you cite them, it is common to give an indication, as specifically as possible, of:

- responsibility (who?)

- title (what?)

- date of creation (when?)

- date viewed (when?)

- place to find the source (where? how?).

1. See the *Publication Manual of the American Psychological Association* (2019, 7th ed.) for a discussion of citing electronic material and useful examples.
2. \*PROFREAD! PROOFREED! PROOOFREAD!\*
3. “Citation,” “quotation,” and “reference” are nouns; “cite,” “quote,” and “refer to” are verbs.
4. Use double quotation marks (“abc.”), not single quotation marks (‘xyz.’), as a matter of course. Single quotation marks usually indicate quotations within quotations in American English.
5. Provide a specific page number for all direct quotations. If the quotation is from a Web page or other digital source without page numbers, provide at least the paragraph number and/or other directional cues, e.g., “(Davis, 1993, section II, ¶ 4).”
6. In ordinary American English, as ≠ because. Assuming the two terms are identical often confuses syntax and the reader.
7. Use "about" instead of the tortured locution "as to."
8. In much of social science and humanistic study, the term "**issue**" identifies sources of public controversy or dissensus. Please use the term to refer to topics about which there is substantial public disagreement, NOT synonymously with general terms such as "topic.” This admonition is especially important in this course where the study of public policy is its main focus.
9. While the Congress and other legislative bodies have debates, careful policy writers and your instructors usually avoid the locution of “**public debate**.” Such a locution makes a series of faulty assumptions:

* It presumes that a public policy issue has only two “sides.” There are usually three or four or more perspectives on any topic of public dissensus that merit consideration. “Debate” hides this multivalent complexity.
* “Debate” implies that one “side” and only one “side” can be correct; that presumption ignores the fact that the many perspectives on a public policy issue have merit.
* “Debate” implies that there can be and will be one and only one “winner.” This presumption naively ignores the fact that some public policy issues are intractable, that these issues are often emergent as are their resolutions, and that compromise is oftentimes a mark of success rather than of failure or “surrender.”

1. Please do not start a sentence or any independent clause with “however.”
2. Avoid the use of “etc.” – it is awkward, colloquial, and vague.
3. Do not use the term “subjects” to describe research participants. “Respondents,” “participants,” and “informants” are preferred terms and have been for decades.
4. Do not use notes unless absolutely necessary, but, if you must use them, use endnotes not footnotes. Please discuss any such use with the instructors in advance.
5. Please adhere to this orthographic (spelling) convention of spelling Internet” with a capital “I” to indicate the TCP/IP-compliant computer network with a shared address convention. Otherwise, “internet” with a lower-case “i” simply means any of the many millions of networks of networks.

# SOME EDITING CONVENTIONS FOR STUDENTS’ PAPERS

While the instructor will react to some written assignments using Track Changes in MS Word, he may react to others in hard copy, scanning and returning those assignments online.

**Symbol Meaning**

# number OR insert a space; the context will help you decipher its meaning

AWK awkward and usually compromises clarity as well

BLOCK make quotations ≥ 4 lines into a block quotation without external

quotation marks

caps capitalize; usually accompanied by three short underscore marks

COLLOQ colloquial and to be avoided

dB database

FRAG sentence fragment; often means that the verb or subject is missing

ITAL italicize

lc make into lower case; usually accompanied by a strike through

org, org’l organization, organizational

PL plural

Q question

REF? what is the referent of this pronoun? to what or whom does it refer?

sp spelling

SING singular

w/ with

w.c.? word choice?

The instructor sometimes uses **check marks** to indicate that the writer has made an especially good point. **Wavy lines** indicate that usage or reasoning is suspect.

# GRADING

Grades for this course include:

A+ Extraordinarily high achievement,

not recognized by the University

A Superior 4.00

A- Excellent 3.67

B+ Good 3.33

B Satisfactory 3.00

B- Barely satisfactory 2.67

C+ Unsatisfactory 2.33

C Unsatisfactory 2.00

C- Unsatisfactory 1.67

F Unacceptable and failing. 0.00.

For more on this system and standards of work, please consult *General Information* (https://catalog.utexas.edu/general-information/academic-policies-and-procedures/evaluation/#gradestext) and the *Graduate School Catalog* (https://catalog.utexas.edu/graduate/degree-requirements/graduate-credit/ and http://catalog.utexas.edu/graduate/graduate-study/student-responsibility/). While the University does not accept the grade of A+ and it does not appear on a student’s transcript, the instructor may assign the grade to students whose work is extraordinary.

The grade of B signals acceptable, satisfactory performance in graduate school. The instructor reserves the grade of A for students who demonstrate both a command of the concepts and techniques discussed as well as an ability to synthesize and integrate them in a professional manner and communicate them effectively, successfully informing the work of other students.

The grade of incomplete (X) is reserved for students in extraordinary circumstances and **must be negotiated with the instructor before the end of the semester**.

The instructor uses points to evaluate assignments, not letter grades. I use an arithmetic – not a proportional – algorithm to determine points on any assignment. For example, 14/20 points on an assignment does NOT translate to 70% of the credit, or a D. Instead 14/20 points is roughly equivalent to a B. If any student's semester point total ≥ 90 (is equal to or greater than 90), then she will have earned an A of some kind. If the semester point total ≥ 80, then she will have earned at least a B of some kind. Whether these are A+, A, A-, B+, B, or B- depends upon the comparison of point totals for all students. For example, if a student earns a total of 90 points and the highest point total in the class is 98, the student would earn an A-. If, on the other hand, a student earns 90 points and the highest point total in the class is 91, then the student would earn an A. The instructor will explain this system throughout the semester.

**TEXTS AND OTHER TOOLS**

There are **three (3)** required texts for this class, supplemented by other readings. I include a number of other texts related to public policy, privacy, surveillance, and national security useful for your work, this semester or beyond. Supplement them as your interests dictate.

These texts address political questions and are **inherently controversial and value-laden.** As noted earlier, the course aims move students beyond the simplistic “here’s my personal or organizational opinion” to a more analytic, holistic, historical, contextualized, and theoretically grounded understanding of public policy and the many faces of politics. Colloquial notions of political left/right and liberal/conservative are inadequate to engage the questions of public policy, especially about privacy, surveillance, and national security. So students should avoid the unreflective usage of such labels in this course – while deepening and enhancing their own particular views of politics and policy making and being responsive to others’ views and values.

The **REQUIRED** texts are:

Amoore, Louise. (2013). *The politics of possibility: Risk and security beyond probability*. Durham, NC: Duke University Press. Available on a temporary emergency basis from Hahti Trust: https://catalog.hathitrust.org/Record/102754949?

Browne, Simone. (2015). *Dark matters: On the surveillance of blackness*. Durham, NC: Duke University Press. Available in print and as an e-book from the UT Libraries: https://ebookcentral-proquest-com.ezproxy.lib.utexas.edu/lib/utxa/detail.action?docID=2194890

Lyon, David. (2018). *The culture of surveillance: Watching as a way of life*. Cambridge, UK: Polity Press. Available as an e-book from the UT Libraries: https://ebookcentral-proquest-com.ezproxy.lib.utexas.edu/lib/utxa/detail.action?docID=5399251

We will also read selected passages from these **SUPPLEMENTAL TEXTS**:

Foucault, Michel. (1977). *Discipline and punish: The birth of the prison* (trans. Alan Sheridan). New York: Pantheon Books.

Franks, Mary Ann. (2019). *The cult of the constitution: Our deadly devotion to guns and free speech*. Stanford, CA: Stanford University Press.

Igo, Sarah E. (2018). *The known citizen: A history of privacy in modern America*. Cambridge, MA: Harvard University Press.

Lauer, John. (2017). Creditworthy: A history of consumer surveillance and financial identity in America. New York: Columbia University Press.

Lyon, David. (Ed.). (2003). *Surveillance as social sorting: Privacy, risk, and digital discrimination*. Routledge: London.

Lyon, David. (Ed.). (2006).  *Theorizing surveillance: The panopticon and beyond*. Portland, OR: Willan.

Nissenbaum, Helen. (2010). *Privacy in context: Technology, policy, and the integrity of social life*. Stanford, CA: Stanford Law Books.

Solove, Daniel. (2006). A taxonomy of privacy. *University of Pennsylvania Law Review*, *154*, 477-560. https://scholarship.law.gwu.edu/cgi/viewcontent.cgi?article=2074&context=faculty\_publications

Solove, Daniel. (2008). *Understanding privacy*. Cambridge, MA: Harvard University Press. Available in print from the UT Libraries.

Zuboff, Shoshana. (2019). *The age of surveillance capitalism: The fight for a human future at the new frontier of power*. New York: Public Affairs.

**Additional valuable texts include**:

Abbate, Janet. (1999). *Inventing the Internet*. Cambridge, MA: MIT Press.

Agre, Philip E., & Rotenberg, Marc. (Eds.). (1997). *Technology and privacy: The new landscape.* Cambridge, MA: MIT.

boyd, danah. (2014). *It’s complicated: The social lives of networked teens*. New Haven, CT: Yale University Press.

Braman, Sandra. (2006). *Change of state: Information, policy, and power*. Cambridge, MA: MIT.

Brunton, Finn, & Nissenbaum, Helen. (2015). *Obfuscation: A user’s guide for privacy and protest*. Cambridge, MA: MIT Press.

Burger, Robert H. (1993). *Information policy: A framework for evaluation and policy research*. Norwood, NJ: Ablex.

Gandy, Oscar H. (1993). *The panoptic sort: A political economy of personal information*. Boulder, CO: Westview Press.

Gandy, Oscar H. (2010). *Coming to terms with chance: Engaging rational discrimination and cumulative disadvantage*. London: Ashgate.

Hernon, Peter, & McClure, Charles R. (1987). *Federal information policies in the 1980s: Conflicts and issues*. Norwood, NJ: Ablex

Hernon, Peter, McClure, Charles R., & Relyea, Harold. (Eds.). (1996). *Federal information policies in the 1990s: Views and perspectives*. Norwood, NJ: Ablex.

Horwitz, Robert Britt. (1991). *The irony of regulatory reform: The deregulation of American telecommunications*. New York: Oxford University.

Lessig, Lawrence. (2002). *Code: Version 2.0* (2nd ed.). New York: Basic Books.

Majchrzak, Ann. (1984). *Methods for policy research*. Newbury Park, CA: Sage.

McClure, Charles R., & Hernon, Peter. (Eds.). (1989). *United States scientific and technical information policies: Views and perspectives*. Norwood, NJ: Ablex

McClure, Charles R., Hernon, Peter, & Relyea, Harold C. (Eds.). (1989). *United States government information policies: Views and perspectives*. Norwood, NJ: Ablex.

Noble, Safiya Umoja. (2018). *Algorithms of oppression: How search engines reinforce racism*. New York: New York University Press.

O’Neil, Cathy. (2016). *Weapons of math destruction: How big data increases inequality and threatens democracy*. London: Penguin.

Parsons, Wayne. (1999). *Public policy: An introduction to the theory and practice of policy analysis*. Cheltenham, Northampton, UK: Edward Elgar Publishing.

Smith, Kevin B., & Larimer, Christopher W. (2017). *The public policy theory primer* (3rd ed.). Boulder, CO: Westview Press.

Solove, Daniel J., & Schwartz, Pail M. (2015). *Information privacy law* (5th ed.). Frederick, MD: Walters Kluwer.

Stone, Deborah. (2012). *Policy paradox: The art of political decision making* (3rd ed.). NY: W.W. Norton.

Waldo, James, Liu, Herbert S., & Millett, Lynette I. (Eds.). (2007). *Engaging privacy and information technology in a digital age* [sic]. Committee on Privacy in the Information Age {*sic*]. National Research Council. Washington, DC: National Academy. Also available at http://books.nap.edu/openbook.php?record\_id=11896&page=R1

Williams, Robert V., & Lipetz, Ben-Ami. (Eds.). (2005). *Covert and overt: Recollecting and connecting intelligence service and information science*. ASIST monograph series. Medford, NJ: Information Today.

Wu, Tim. (2010). *The master switch: The rise and fall of information empires*. New York: Vintage Books.

# LIST OF ASSIGNMENTS

All students must complete all assignments in order to earn credit for the course.

The instructor will provide additional information about each assignment, but assignments will generally be submitted in Canvas in the appropriate format. All written assignments will be completed individually except for those related to the final paper of the semester. **GRP** indicates the group assignment.

## Assignment Date Due Percent of Grade

Preparation and participation ----- 20%

Glossary terms SEP 8 5

Essay on privacy, surveillance, SEP 29 15

and public policy (3-4 pp.)

Choice for U.S. federal case brief SEP 29 -----

Case brief (3-4 pp.) OCT 20 15

Topic for final paper **GRP** OCT 297 -----

Choice of classmates’ paper to review NOV 10 -----

## Draft of final paper (≥ 5pp.) GRP NOV 17 -----

Review of another team's draft final paper (3-4 pp.) NOV 24 10

Presentation on final paper **GRP** NOV 24 or DEC 1, 10

in class

Final draft of paper (12-15 pp.) **GRP** DEC 8, TUE 25

3:00 PM

All assignments must be handed in on time. The instructor reserves the right to issue an assignment grade of F if **ANY** assignment is late and will not accept late assignments unless three criteria are met:

1. At least 24 hours before the date due, the instructors give explicit permission to the student to hand the assignment in late. This criterion can be met only in the most serious of health, family, or personal situations.

2. At the same time, a specific date and time are agreed upon for the late submission.

3. The assignment is submitted on or before the agreed-upon date and time.

Further, all assignments should adhere to the standards for written work; should be clear, succinct, and specific; and should be explicitly grounded in the readings, class discussions, and other sources as appropriate. Writing multiple drafts of papers is particularly useful.

# OUTLINE OF THE COURSE

The schedule may be adjusted. **C** indicates that a reading is in Files in Canvas; **AS** indicates Additional Sources germane to the course but **NOT** required. Other readings are our textbooks or those available on the open Web. The References have detailed citations.

|  |  |  |  |
| --- | --- | --- | --- |
| **Date** | **Topics** | **Readings** | **Assignments** |
| **1**: SEP 1 | Introduction to the course – Review of the syllabus  * Introduction to public policy and information policy | Syllabus  * Doty (2019) |  |
|  |  |  |  |
| **2**: SEP 8 | More on the study of public policy Surveillance I   * Surveillance culture – introduction | Lyon (2018, vi-viii, pp. 1-112, and 198-214)**AS**: Igo (2018a) | Glossary terms – 5% |
|  |  |  |  |
| **3**: SEP 15 | Surveillance II  * Surveillance culture – continued  Privacy I  * Introduction and overview * History in the U.S. | Lyon (2018, pp. 113-197 and 214-230)Warren & Brandeis (1890)  * Igo (2018b) * Solove (2008a) * Solove (2008b) |  |
|  |  |  |  |
| **4**: SEP 22 | Privacy II  * Problematizing the dichotomy of private/public spheres * Gendered discussion of privacy * Selected U.S. Supreme Court cases – introduction | * McGaw (1989) * *Griswold v. CT* (1965) * Solove (2008c) * Solove (2006, pp. 477-491) * **AS**: Doty (2001a) |  |
|  |  |  |  |
| **5**: SEP 29 | Privacy III  * Selected U.S. Supreme Court cases – continued * Privacy in public * In-class exercise – writing a student case brief | * *Katz v. U.S.* (1967)  Nissenbaum (2010a)  * Nissenbaum (2010b) * Nissenbaum (2010c) * Nissenbaum (2010d) | Essay on privacy, surveillance, and the study of public policy (3-4 pp.) – 15%Choice of U.S. federal case for case brief |
|  |  |  |  |
| **6**: OCT 6 | Surveillance III  * Introduction * The panopticon and beyond * The surveillant assemblage | Lyon (2006)  * Foucault (1977) * Haggerty (2006) |  |
|  |  |  |  |
| **7**: OCT 13 | Surveillance IV  * Surveillance and the body * Reduction to data * Racialized surveillance | Browne (2015, vii-ix, pp. 1-88, and 165-178))van der Ploeg (2003) |  |
|  |  |  |  |
| **8**: OCT 20 | Surveillance V  * Surveillance capitalism * Public/private “partnerships” * Selected U.S. Supreme Court cases | Browne (2015, pp. 89-164, and 178-202)Zuboff (2019)**AS**: Doty (2020) | Case brief (3-4 pp.) – 15% Informal presentation of some case briefs |
|  |  |  |  |
| **9**: OCT 27 | Surveillance VI  * The “war on terror” * Risk assessment and classification | * Brown & Cox (2011) * Gillespie (2014) * Smith (2004b) | Choice of topic for final paper |
|  |  |  |  |
| **10**: NOV 3 | Surveillance VII  * Public/private partnerships   National Security I   * Probability and possibility in security assessments | Amoore (2013, ix – xi, pp. 1-126 and 177 – 197)**AS**: Franks (2019b) | Choice of classmates’ paper to review |
|  |  |  |  |
| **11**: NOV 10 | Writing studio – no class |  |  |
|  |  |  |  |
| **12**: NOV 17 | National Security II  * Probability and possibility in security assessments – continued | Amoore (2013, pp. 129– 176 and pp. 197 - 202) | Draft of final paper (≥ 5 pp.) |
|  |  |  |  |
| **13**: NOV 24 | Students’ Research I  * Students’ presentations |  | Review of another team’s draft (3-4 pp.) – 10%In-class presentation – 10% |
|  |  |  |  |
| **14**: DEC 1 | Students’ Research II  * Students’ presentations * Course summary |  | In-class presentation – 10% |
| DEC 8, 3:00 PM |  |  | Completed final paper (12-15 pp.) – 25% |

**ASSIGNMENTS**

Please consult the sections in this syllabus on (1) Analysis and Holism in Reading, Writing, and Presenting and (2) Standards for Written Work before and after doing the assignments. I use those criteria, as well as others, in evaluating your work.

**Brief “definition” of glossary terms from Doty (2019) handout – Due September 8 (5%)**

In the first class period, **the instructor will assign each student in the class c. seven (7**) of the terms below from the handout *What Are Public Policy and Its Study?* (2019) to define briefly for a working glossary of terms to be available on Canvas. Two students will define each term, as assigned by the instructor, uploading their MS Word documents to Canvas.

Students should not use Google or any other search engine to define these terms nor use Wikipedia as a source. Instead, use UT Libraries and other discipline-specific dictionaries, additional reference tools, appropriate databases, journal papers, and the like to define the terms. Good definitions will:

* Be complete but less than 25 words long (≤ 25 words), not counting any citations
* Be original with the student; **avoid plagiarism**
* Cite the source(s) from which the definition was developed
* Adequately define the term in the context of its use in the Handout and, as possible, beyond
* Refer to the specific page(s) in the Handout where the term appears
* Be clear, concise, and grammatically sound.

1. *agon*
2. American Pragmatism
3. Archimedean Point
4. bounded rationality
5. certainty of uncertainty
6. concept
7. constructionist
8. constructivism
9. content analytic
10. cultural cognition
11. data
12. denaturalizing
13. discursive analytic/
14. discourse analysis
15. dissensus
16. empirical
17. error model
18. essentialism
19. exogenous
20. hegemony
21. incrementalism
22. indexical
23. industry capture
24. inferential statistics
25. instrumental
26. inter-coder reliability
27. intractable
28. issue network
29. legalistic
30. majoritarian consensus
31. metaphors
32. model
33. muddling through
34. normative
35. Occam’s Razor
36. parametric/non-parametric
37. pluralism
38. policy stages
39. political economy
40. polity
41. positivism
42. post-positivist
43. radical (ADJ)
44. rational choice
45. rationalism
46. realist ontology
47. satisficing
48. technicist
49. typology

**Essay on privacy, surveillance, and the study of public policy – Due September 29 (15%)**

As our course readings and other sources make plain, there is considerable controversy about what the term “privacy” might mean and the extent and meaning of surveillance, particularly in the context of public policy. To think more about these concepts, please **choose one** of the two alternatives below, using our course readings and **only those materials** to address the questions:

(1) In a famous essay in 1975 in *Philosophy & Public Affairs*, Judith Jarvis Thomson wrote that, “Perhaps the most striking thing about privacy is that nobody seems to have any clear idea what it is.” Do you agree or disagree? Why? Be specific and cite particular sources we have read in class to support your position.

(2) Does the process of policy thinking and the concepts discussed by the various authors in the Doty (2019) handout give us useful perspectives for understanding privacy and surveillance and for identifying policy conflicts about them? If so, how? If not, why not? Be specific and cite particular sources in the handout to support your position.

Each student will write an essay of **three to four (3-4) double-spaced pp.** (about 750-1000 words), not counting the title page and references, addressing **one** of the questions above. Be as specific as possible in doing so, particularly citing particular sources we have read and pages in the essay.

Be sure to consult the Standards for Written Work and Analysis and Holism in Reading, Writing, and Presenting both before and after you have written your essay.

Please be sure that the paper is analytic, reflective, and explicitly grounded in whatever sources you use. This essay is due in Canvas by **12:00 Noon on Tuesday September 29** and is worth 15% of your semester grade.

**Preparing a case brief – Due October 20 (15%)**

Each student will prepare a case brief for **one U.S. Supreme Court case** related to privacy and surveillance from this list, using the in-class exercise as a means to help prepare this assignment. Many can be found at the Library of Congress (https://www.loc.gov/collections/united-states-reports/).

Students will inform the instructor by email of their case choices by no later than September 29, three weeks before the assignment is due on October 20. Submit a list of three cases ranking them from MOST preferred to least preferred. **Only two** students can brief any one case.

*Baldridge v. Shapiro*, 455 U.S. 345 (1982)

*Byrd v. United States*, 584 U.S. \_\_\_ (2018) [slip opinion]

*Carpenter v. United States*, 585 U.S. \_\_\_ (2018) [slip opinion][VERY long]

*Clapper v. Amnesty International*, 568 U.S. 398 (2013)

*Collins v. Virginia*, 584 U.S. \_\_\_ (2018) [slip opinion]

*Florida v. Harris*, 568 U.S. 257 (2013)

# *Florida v. Jardines*, 569 U.S. 1 (2013)

*Frank v. Gaos*, 586 U.S. \_\_\_ (2019) [slip opinion]

*Illinois v. Caballes*, 543 U.S. 405, 409 (2005)

*Kyllo v. United States*, 533 U.S. 27 (2001)

*Loving v. Virginia*, 388 U.S. 1 (1967)

*Oliver v. United States*, 466 U.S. 170 (1984)

*Roviaro v. United States*, 353 U.S. 53 (1957)

*United States v. Jones*, 565 U.S. 400 (2012) [slip opinion]

*United States v. Knotts*, 460 U.S. 276 (1983)

*United States v. Microsoft*, 584 U.S. \_\_\_ (2018) [on appeal from 138 S. Ct. 1186 (2018)]

Each brief will be **3-4 double-spaced pp.** not counting the title page and any references beyond the decision and will have the following seven components often found in students’ legal briefs. **Do not plagiarize**, and be sure to **use the components as headers** in the brief:

* Title of the case
* Citation
* Facts of the case
* Issue
* Holding

[a total of 1-2 double-spaced pp. for these five components]

* Reasoning of the court [one double-spaced page]
* Analysis by the student [one double-spaced page].

Uninformed opinion and/or simple assertion of disagreement or belief will not suffice.

The instructor will solicit a small handful of volunteers to present their case briefs with **ONE PowerPoint slide** on which the first five elements above will appear: the case title, citation, facts, issue, and holding. If necessary, he will also choose students to present their case briefs.

## Final Policy Paper – Due various dates

Every student will be a member of a self-selected, two-member research team. Each two-student team will ideally consist of students enrolled in different degree programs. The main goals of this assignment are to (1) identify a difficulty in public policy in the United States (often an issue, i.e., an area of contention and dissensus) of interest to the students, (2) explain the topic and its context clearly and thoroughly, and (3) as appropriate, offer well-founded, clearly described recommendations to resolve any conflicts among actors and the implications of implementing those recommendations. See the description of the paper below for more information. Each team will choose **one alternative** for the final assignment of the three below, and the instructor will allot time in class for students to begin their discussions of which topics they want to write about.

(1) One alternative for the final assignment is to choose among the topics below, with, as noted, a special eye toward the **public policy conflicts** related to the topics:

* The body and reduction to data
* Race and surveillance
* Gender, race, and intersectionality in (a) privacy, (b) surveillance, OR (c) national security
* Surveillance and privacy in public
* Risk assessment and travel
* Daniel Solove’s model of privacy
* Security theater
* Quantification of self (QoS) OR self-surveillance
* Surveillance in the home
* Predictive policing
* Surveillance in urban areas.

(2) A second alternative for the final paper is to write about **one, two, or all three** of the sources below, supplemented as you see fit with other appropriate material, whether material we have read as a class or beyond. Please address how the author(s) conceives of privacy and surveillance, and what strengths and weaknesses those conceptions may have, again while being especially aware of the **important conflicts related to public policy** that the paper(s) implicate:

* Franks, Mary Ann. (2019). The cult of the constitution. In *The cult of the constitution: Our deadly devotion to guns and free speech* (pp. 23-50 and pp. 210-215). Stanford, CA: Stanford University Press. **C**
* Igo, Sarah E. (2018c). Stories of one’s self. In *The known citizen: A history of privacy in modern America* (pp. 307-349 and 517-536). Cambridge, MA: Harvard University Press. **C**
* Rachels, James. (1975). Why privacy is important. *Philosophy & Public Affairs*, *4*(4),

323-333. Available at https://www.jstor.org/stable/pdf/2265077.pdf?casa\_token=Qa5OkLeNisgAAAAA:Q5mBYIqcwoO\_5cMnBJ\_jZA0m5mmLgLSPJU5EsDzOKGlsRn-o7u2lQ-b3\_Y0BNdA\_igmY291c7TCKQbglTlsHhZmCRJPT0F5r1vSDa1dWlQeuqWdPSyMH

(3) A third alternative involves a close examination of the paper:

* Cohen, Julie E. (2019). Turning privacy inside out. *Theoretical Inquiries in Law*, *20*(1), 1-21. Available at: http://www7.tau.ac.il/ojs/index.php/til/issue/view/113

In this paper, Cohen, a well-known expert in both privacy and copyright law, notes how our “inadequate institutional grammar” (p. 1) is an important element of our failure to theorize and thus protect privacy successfully. She emphasizes a need for renewed institutional design and practices, the importance of operationalization of such new institutional design and practices, and a variety of potential changes in how we approach privacy. Please address these two questions:

1. What is your overall and specific evaluation of Cohen’s argument?
2. Identify and evaluate some specific recommendations Cohen makes and their implications.

Be sure to place emphasis on **public policy conflicts** that animate and are considered in Cohen’s work.

**Topic** – Each team will clear the proposed topic by email with the instructor by **October 27**. In addition to your own knowledge and acquaintance with information policy issues, you may find a number of resources of value to you in identifying a topic for your paper: discussion with the instructor and your colleagues (both inside and outside of the class), reading ahead in the syllabus to identify upcoming topics, the mass media, class readings and all the sources in the syllabus, Web and other Internet sources, and the bibliographies of what you read.

**Draft – Due November 17**. Each team will submit a draft of the final policy paper on November 17. The draft will consist of the same parts as the final draft of the paper described below. The draft will be a minimum of five (5) double-spaced pp. (c. 1250 words), not counting the title page and references.

**Review of another student team's draft of the paper – Due November 24 (15%).** Each individual student will review the draft of one other student team and submit a **three- to four-page (c. 750-1000 words), double-spaced** review of the paper. Be specific in your critique – what works in the draft? What does not? Why or why not? What specific suggestions can you offer for improvement to the paper, whether about the topic, the argument, definitions, sources, composition, citations, lay-out, and so on? Each student must offer recommendations in the spirit of engaged critique, not dismissive cynicism or superficial praise.

**Presentation – November 24 or December 1 (10%)**. The students in each team will make a 15-minute oral presentation in class on the subject of their paper either November 24 or December 1. The instructor will solicit volunteers for each day, reserving the right to assign students by lot should that be necessary. Each student will do roughly half of the presentation. While the presentation will be informal and collegial, you should plan to use visuals and handouts as appropriate. Each student peer editor will act as respondent to another student team's presentation. The presentations will be on November 24 or December 1.

**Final draft – Due Tuesday, December 8, 3:00 PM (25%)**. This is a final paper of **12-15 double-spaced pages (c. 3000-3750 words)** that considers any approved topic engaging privacy, surveillance, and national security as described above. Your paper should focus on analysis and contextualization, and display all the elements of policy thinking. Remember to look at the syllabus section on Analysis and Holism in Reading, Writing, and Presenting as well as the section on Standards for Written Work. This final version must be uploaded to the appropriate Canvas site **no later than 3:00 PM on Tuesday, December 8**.

# SUGGESTIONS FOR WRITING POLICY ANALYSIS

This section of the syllabus offers three general, interrelated models for doing policy analysis and then writing policy reports, beyond that offered in Majchrzak (1984). You can use these models to guide your own writing as your study of policy and policy analysis progresses beyond this semester, **but you are neither obliged nor expected to**. The models are also useful for evaluating the work of others. Such evaluations are common in policy studies, whether for critique, literature review, or formal peer review. Policy analysts constantly review each other’s work in a collegial but rigorous way.

The first model is based on one offered by Charles R. McClure, with my own modifications added. Other analysts and topics may demand different approaches:

• Abstract

• Introduction

Importance of specific topic

Definition of key terms

Key stakeholders

Key policy areas needing analysis and resolution

• Overview of current knowledge

Evaluative review of the literature about the topic, including print and electronic sources

• Existing policy instruments related to the topic

The most important legislative, judicial, and regulatory policy instruments

Ambiguities, conflicts, problems, and contradictions related to the instruments

• Key issues

Underlying assumptions

Effects on and roles of key stakeholders

Conflicts among key values

Implications of issues

• Conclusions and recommendations

Recommendations

Rationale for recommendations

Implications and possible outcomes of specific courses of action

• References

APA style

All sources cited in the paper.

Bardach (2000) is the source for the second approach to doing policy analysis, and he identifies eight steps in policy analysis. In a way reminiscent of Majchrzak (1984), Bardach focuses the first two thirds of his book *A Practical Guide for Policy Analysis: The Eightfold Path to More Effective Problem Solving* on this “eightfold path” (using his words):

* Define the problem
* Assemble some evidence
* Construct the alternatives (for action)
* Select the criteria
* Project the outcomes
* Confront the trade-offs
* Decide!
* Tell your story.

Despite his somewhat misplaced emphasis on problem solving (see, e.g., Schön, 1993) and the implicit linearity he ascribes to policy analysis, his book is very useful for understanding the importance of (1) narrative in the process of policy analysis, (2) iteration in analysis, and (3) clarity in argumentation. Bardach also gives some important insights into the contributions of econometric analysis to policy studies.

The third model is on the next page and is based primarily on the work of William Dunn, with contributions from the work of Ray Rist on qualitative policy research methods, Emery Roe on narrative policy analysis, and Donald Schön on generative metaphor. I avoid the rhetoric of problems and problem solving deliberately; see, e.g., Doty (2001b).

**Elements of the policy issue paper** (adapted from Dunn, 1994, with material from Rist, 1994; Roe, 1994; and Schön, 1993)

|  |  |
| --- | --- |
| Element | Examples of Evaluative Criteria |
| Executive summary  Background of the issue or dilemma  Description of the social dilemma  Outcomes of earlier efforts to address the dilemma  Scope and severity of the conflict  Assessment of past policy efforts  Significance of the conflict  Need for analysis  Issue statement  Definition of the issue  Major stakeholders  Goals and objectives  Measures of effectiveness  Potential “solutions” or new understandings  Policy alternatives  Description of alternatives  Comparison of future outcomes  Externalities  Constraints and political feasibility  Policy recommendations  Criteria for recommending alternatives  Descriptions of preferred alternative(s)  Outline of implementation strategy  Limitations and possible unanticipated outcomes  References  Appendices | Are recommendations highlighted?  Are all the important terms clearly defined?  Are all appropriate dimensions described?  Are prior efforts clearly assessed?  Why is the social conflict important?  What are the major assumptions and questions to be considered?  Is the issue clearly stated?  Are all major stakeholders identified and prioritized?  Is the approach to analysis clearly specified?  Are goals and objectives clearly specified?  Are major value conflicts identified and described?  Are alternatives compared in terms of costs and effectiveness?  Are alternatives systematically compared in terms of political feasibility?  Are all relevant criteria clearly specified?  Is a strategy for implementation clearly specified?  Are there adequate provisions for monitoring and evaluating policies, particularly unintended consequences? |

# REFERENCES

Many required readings are available online, as indicated below and in the class schedule. Some of the course readings are in the Files in Canvas (**C**).

Some of the readings, on the other hand, require you to be logged in to journal collections with your UT EID through the UT libraries. Those journals are usually available online for only part of their publication run; further, UT often has more than one arrangement through which to get these journals online, so there may be more than one URL for each journal. Feel free to explore the various online journal packages – the more familiar you are with such arrangements, the better researcher you will be.

As a matter of course, I provide URL’s that guide you to a journal’s table of contents rather than to the particular paper in question. Appreciating the intellectual context, including but not limited to theme issues and papers in conversation with each other, of what we read is a key element in developing an integrated, holistic understanding of ideas and their proponents.

**I. References in the schedule and assignments**

Amoore, Louise. (2013). *The politics of possibility: Risk and security beyond probability*. Durham, NC: Duke University Press. Available on a temporary emergency basis from Hahti Trust: https://catalog.hathitrust.org/Record/102754949?

Bardach, Eugene. (2000). *A practical guide for policy analysis: The eightfold path to more effective problem solving*. New York: Chatham House.

Brown, Gerald G., & Cox, Louis Anthony (Tony). (2011). How probabilistic risk assessment can mislead terrorism risk analysts. *Risk Analysis: An International Journal*, *31*(2), 196-204. Available at https://onlinelibrary-wiley-com.ezproxy.lib.utexas.edu/toc/15396924/2011/31/2

Browne, Simone. (2015). *Dark matters: On the surveillance of blackness*. Durham, NC: Duke University Press. Available in print and as an e-book from the UT Libraries: https://ebookcentral-proquest-com.ezproxy.lib.utexas.edu/lib/utxa/detail.action?docID=2194890

Cohen, Julie E. (2019). Turning privacy inside out. *Theoretical Inquiries in Law*, *20*(1), 1-21. Available at: http://www7.tau.ac.il/ojs/index.php/til/issue/view/113

Doty, Philip. (2001a). Digital privacy: Toward a new politics and discursive practice. In Martha E. Williams (Ed.), *Annual review of information science and technology* (Vol. 36, pp. 115-245). Medford, NJ: Information Today. **C**

Doty, Philip. (2001b). Policy analysis and networked information: “There are eight million stories . . . .” In Charles R. McClure & John Carlo Bertot (Eds.), *Evaluating networked information services: Techniques, policy, and issues* (pp. 213-253). Medford, NJ: Information Today.

Doty, Philip. (2019). *What are public policy and its study?* **C**

Doty, Philip. (in press). Oxymorons of privacy and surveillance in “smart homes.” Annual Conference of the Association for Information Science & Technology. (7800 words).

Dunn, William N. (1994). *Public policy analysis: An introduction* (2nd ed.). Englewood Cliffs, NJ: Prentice-Hall.

Foucault, Michel. (1977). Panopticism. In *Discipline and punish: The birth of the prison* (trans. Alan Sheridan)(pp. 195–228 and 316-317). New York: Pantheon Books. **C**

Franks, Mary Ann. (2019). *The cult of the constitution: Our deadly devotion to guns and free speech*. Stanford, CA: Stanford University Press.

Franks, Mary Ann. (2019a). The cult of the constitution. In *The cult of the constitution: Our deadly devotion to guns and free speech* (pp. 23-50 and pp. 210-215). Stanford, CA: Stanford University Press. **C**

Franks, Mary Ann. (2019b). The cult of the Internet. In *The cult of the constitution: Our deadly devotion to guns and free speech* (pp. 159-198 and pp. 238-242). Stanford, CA: Stanford University Press. **C**

Friedman, Sharon, & Steinberg, Stephen. (1989). *Writing & thinking in the social sciences*. Englewood Cliffs, NJ: Prentice Hall.

Gillespie, Tarleton. (2014). The relevance of algorithms. In Tarleton Gillespie, Pablo J. Boczkowski, & Kirsten A. Foot (Eds.), *Media technologies: Essays on communication, materiality, and society* (pp. 167-193). Cambridge, MA: MIT Press. **C**

*Griswold v. Connecticut* 381 U.S. 479 (1965)

https://www.loc.gov/item/usrep381479/

Haggerty, Kevin D. (2006). Tear down the walls: On demolishing the panopticon. In David Lyon (Ed.), *Theorizing surveillance: The panopticon and beyond* (pp. 23-45). Portland, OR: Willan. **C**

Haggerty, Kevin D., & Ericson, Richard V. (2000). The surveillant assemblage. *British Journal of Sociology*, *51*(4), 605-622. Also available at https://onlinelibrary-wiley-com.ezproxy.lib.utexas.edu/toc/14684446/2000/51/4

Igo, Sarah E. (2018). *The known citizen: A history of privacy in modern America*. Cambridge, MA: Harvard University Press.

Igo, Sarah E. (2018a). Documents of identity. In *The known citizen: A history of privacy in modern America* (pp. 55-98 and 392-417). Cambridge, MA: Harvard University Press. **C**

Igo, Sarah E. (2018b). A right to be let alone. In *The known citizen: A history of privacy in modern America* (pp. 144-182 and 436-453). Cambridge, MA: Harvard University Press. **C**

Igo, Sarah E. (2018c). Stories of one’s self. In *The known citizen: A history of privacy in modern America* (pp. 307-349 and 517-536). Cambridge, MA: Harvard University Press. **C**

*Katz v. United States* 389 U.S. 347, 351 (1967)

https://www.loc.gov/item/usrep389347/

Lauer, John. (2017). Coming to terms with credit: The nineteenth-century origins of consumer credit surveillance. In Creditworthy: A history of consumer surveillance and financial identity in America (pp. 51-77 and 287-292). New York: Columbia University Press. Available as an e-book from the UT Libraries: https://columbia-degruyter-com.ezproxy.lib.utexas.edu/view/title/528614

Lyon, David. (2003). Surveillance as social sorting: Computer codes and mobile bodies. In David Lyon (Ed.), *Surveillance as social sorting: Privacy, risk, and digital discrimination* (pp. 13-30). Routledge: London. **C**

Lyon, David. (2006). The search for surveillance theories. In David Lyon (Ed.), *Theorizing surveillance: The panopticon and beyond* (pp. 3-20). Portland, OR: Willan. **C**

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