

**The Ohio State University  
Department of Political Science**

**Political Science 779: Readings on the Policy Process**

Spring 2008  
Wed 8:30-11:18  
2078 Derby Hall

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Office Hours: W 2:00-4:00

**Course Overview**

*Readings on the Policy Process* is a graduate seminar that focuses on the manner in which laws are implemented, and enforced in the United States, by analyzing the roles and activities of the bureaucracy. Given the wide body of research that addresses these matters, and the ways in which bureaucratic policymaking is intimately tied to legislative, executive, and judicial politics, and numerous external interests, any attempt to offer a comprehensive treatment of the literature within 10 weeks would be futile. Rather than engage in such efforts, we will address the literature from a relatively limited perspective, and to that end, the topics (and readings) listed below have been selected for several reasons. First, they identify *some* central elements of the theoretical and empirical literature(s), which should serve as a foundation for scholars who are interested in working in this area. Second, in many cases, the readings provide students with a presentation of institutional detail and processes that might help them to understand “how things work” in regards to bureaucratic policymaking. Finally, in many cases, readings have been selected which highlight new areas of scholarly research, so as to generate student interest in pursuing new directions in these fields.

**Readings**

The course materials include about six readings per class session, based primarily on journal articles that are available online (either through JSTOR, or other university subscriptions). Those readings not available online via subscriptions will be posted to CARMEN. Students are expected to print out copies of the articles, mark them up as they read them, and have them ready for classroom discussion. In addition to journal articles, there is one required book for this course:

Wilson, James Q. 2000. *Bureaucracy: What Agencies Do and Why they Do It*. Basic Books.

I would also recommend that students consult the following text, which is an outstanding reference for understanding contemporary rulemaking processes in the American political system. While it is not required, per se, familiarity with certain nuts-and-bolts aspects of the bureaucratic implementation of law will greatly enhance students’ understandings of much of the scholarly literature being considered in this class:

Kerwin, Cornelius M. 2003. *Rulemaking: How Government Agencies Write Law and Make Policy*, 3<sup>rd</sup> Edition. CQ Press.

## **Course requirements and grading**

The course requirements are mastery of the content of the readings, constructive contributions to class discussions, and written assignments. Each student will present and lead the initial discussion of one or two of the readings per week. To accompany that discussion, students should prepare a 1-2 page summary of the article/book sections, including: (1) a clearly stated hypothesis/thesis, (2) an explanation of how the author developed the main thesis (where it came from), (3) a description of the support offered of the thesis, (4) a brief critique of the argument, and (5) a set of about five discussion questions. Students should bring enough copies of these written summaries to hand out to all class members at the start of class.

For *two* of the units covered, students will write a 10-15 page paper, summarizing the readings (or relevant subsets of the readings) from the sessions, and developing a research agenda to advance the literature in the chosen area. Students can choose which of the units they wish to write about (with the exception of the April 2 and May 14 sessions), with the essays due in Prof. Wiseman's office by 3 p.m. on the Friday following each of the units covered. Email submissions will be accepted.

Grades will be assigned a weighted average of class participation including summaries and discussion leadership (40%) and the two essays (30% each).

No late work will be accepted unless previously arranged with Prof. Wiseman. Such arrangements require well-substantiated and sound reasons, and will result in progressively lowered grades depending on how late the work is finally produced.

Academic Honesty: I expect all of the work you do in this course to be your own. I will tolerate absolutely no cheating or plagiarism (using someone else's words or ideas without proper citation). I will report any cases of cheating or plagiarism to the university committee on academic misconduct, and they will be handled according to university policy.

Disability: If you need an accommodation based on the impact of a disability, you should contact me to arrange an appointment as soon as possible. At the appointment we can discuss the course format, anticipate your needs, and explore potential accommodations. I rely on the Office for Disability Services for assistance in verifying the need for accommodations and developing accommodation strategies. If you have not previously contacted the Office for Disability Services, I encourage you to do so.

## **Course Schedule and Topics**

**March 26: Organizational Meeting and Background**

**April 2: Introduction to Bureaucracy, Organizations, and Politics**

Wilson, Bureaucracy, chapters 1-6, 9.

Moe, Terry M. 1991. "Politics and the Theory of Organization." *Journal of Law, Economics, and Organization*. 7: 106-129.

#### **April 9: Administrative Procedures as Methods of Bureaucratic Control**

Balla, Steven J. 1988. "Administrative Procedures and Political Control of the Bureaucracy." *American Political Science Review*. 92 (3): 663-673.

Bawn, Kathleen. 1995. "Political Control Versus Expertise: Congressional Choices about Administrative Procedures." *American Political Science Review*. 89 (1): 62-73.

McCubbins, Mathew D., Roger G. Noll, and Barry R. Weingast. 1987. "Administrative Procedures as Instruments of Political Control." *Journal of Law, Economics, and Organization*. 3 (2): 243-277.

Moe, Terry M., 1989. "The Politics of Bureaucratic Structure." In ed. J.E. Chubb and P. E. Peterson, *Can the Government Govern?* Washington, DC: The Brookings Institution.

Ting, Michael M. 2003. "A Strategic Theory of Bureaucratic Redundancy." *American Journal of Political Science*. 47 (2): 274-292.

#### **April 16: Institutions and Bureaucratic Control (I)**

Bawn, Kathleen. 1997. "Choosing Strategies to Control the Bureaucracy: Statutory Constraints, Oversight, and the Committee System." *Journal of Law, Economics, and Organization*. 13 (1): 101-126.

Hopenhayn, Hugo, and Susanne Lohmann. 1996. "Fire-Alarm Signals and the Political Oversight of Regulatory Agencies." *Journal of Law, Economics, and Organization*. 12 (1): 196-213.

McCubbins, Mathew D., and Thomas Schwartz. 1984. "Congressional Oversight Overlooked: Police Patrols versus Fire Alarms." *American Journal of Political Science*. 28 (1): 165-179.

Moe, Terry M. 1987. "An Assessment of the Positive Theory of 'Congressional Dominance.'" *Legislative Studies Quarterly*. 12 (4): 475-520.

Muris, Timothy J. 1985. "Regulatory Policymaking at the Federal Trade Commission: The Extent of Congressional Control." *Journal of Political Economy*. 94 (4): 884-894.

Weingast, Barry R., and Mark J. Moran. "Bureaucratic Distretion or Congressional Control? Regulatory Policymaking by the Federal Trade Commission." *Journal of Political Economy*. 91 (5): 765-800.

### **April 23: Institutions and Bureaucratic Control (II)**

Carpenter, Daniel P. 1996. "Adaptive Signal Processing, Hierarchy, and Budgetary Control in Federal Regulation." *American Political Science Review*. 90 (2): 283-302.

Howell, William G., and David E. Lewis. 2002. "Agencies by Presidential Design." *Journal of Politics*. 64 (4): 1095-1114.

Huber, John D., Charles R. Shipan, and Madelaine Pfahler. 2001. "Legislatures and Statutory Control of the Bureaucracy." *American Journal of Political Science*. 45 (2): 330-345.

Moe, Terry M. 1985. "The Politicized Presidency." In ed. J.E. Chubb and P. E. Peterson, *The New Direction in American Politics*. Washington DC: The Brookings Institution.

Schloz, John T. 1991. "Cooperative Regulatory Enforcement and the Politics of Administrative Effectiveness." *American Political Science Review*. 85 (1): 115-136.

### **April 30: Personnel and Management**

Carpenter, Daniel P. 1998. "The Corporate Metaphor and Executive Department Centralization in the United States, 1888-1928." *Studies in American Political Development*. 12 (1): 162-203.

Gailmard, Sean, and John W. Patty. 2007. "Slackers and Zealots: Civil Service, Policy Discretion and Bureaucratic Expertise." *American Journal of Political Science*. 51 (4): 873-889.

Krause, George A., David E. Lewis, and James W. Douglas. 2006. "Political Appointments, Civil Service Systems, and Bureaucratic Competence: Organizational Balancing and Executive Branch Revenue Forecasts in the American States." *American Journal of Political Science*. 50 (3): 770-787.

Lewis, David E. 2007. "Testing Pendleton's Premise: Do Political Appointees Make Worse Bureaucrats?" *Journal of Politics*. 69 (4): 1973-1088.

McCarty, Nolan. 2004. "The Appointments Dilemma." *American Journal of Political Science*. 48 (3): 413-428.

### **May 7: External (Non governmental) Influences on Bureaucracy**

Balla, Steven J., and John R. Wright. 2001. "Interest Groups, Advisory Committees, and Congressional Control of the Bureaucracy." *American Journal of Political Science*. 45 (4): 799-812.

Boehmke, Frederick J., Sean Gailmard, and John Wiggis Patty. 2006. "Whose Ear to Bend? Information Sources and Venue Choice in Policy-Making." *Quarterly Journal of Political Science*. 1 (2): 139-169.

Carpenter, Daniel P. 2002. "Groups, the Media, Agency Waiting Costs, and FDA Drug Approval." *American Journal of Political Science*. 46: 490-505.

De Figueiredo, Rui J. P., and Geoff Edwards. 2007. "Does Private Money Buy Public Policy? Campaign Contributions and Regulatory Outcomes in Telecommunications." *Journal of Economics and Management Strategy*. 16: 547-576.

Gordon, Sanford C., and Catherine Hafer. 2005. "Flexing Muscle: Corporate Political Expenditures as Signals to the Bureaucracy." *American Political Science Review*. 99: 245-261.

Petracca, Mark P. 1986. "Federal Advisory Committees, Interest Groups, and the Administrative State." *Congress and the Presidency*. 13 (1): 83-114.

### **May 14: No Class**

Wilson, *Bureaucracy*, chapters 7-8, 10-20.

### **May 21: Bureaucratic Policymaking and Judicial Influence**

Canes-Wrone, Brandice. 2003. "Bureaucratic Decisions and the Composition of the Lower Courts." *American Journal of Political Science*. 47 (2): 205-214.

Eskridge, William N., Jr., and John Ferejohn. 1992. "Making the Deal Stick: Enforcing the Original Constitutional Structure of Lawmaking in the Modern Regulatory State." *Journal of Law, Economics, and Organization*. 8 (1): 165-189.

Ferejohn, John, and Charles Shipan. 1990. "Congressional Influence on Bureaucracy." *Journal of Law, Economics, and Organization*. 6 (Special Issue): 1-20.

Horwitz, Robert B. 1994. "Judicial Review of Regulatory Decisions: The Changing Criteria." *Political Science Quarterly*. 109 (1): 133-169.

Miles, Thomas J. and Cass Sunstein. 2006. "Do Judges Make Regulatory Policy? An Empirical Investigation of Chevron." *The University of Chicago Law Review*. 73 (3): 823-881.

Wright, John R. 2007. "Ambiguous Statutes and Judicial Deference to Federal Agencies." Unpublished Manuscript, The Ohio State University.

### **May 28: Executive Oversight of Rulemaking**

Cooper, Joseph and William F. West. 1988. "Presidential Power and Republican Government: The Theory and Practice of OMB Review of Agency Rules." *Journal of Politics*. 50 (4): 864-895.

Croley, Steven. 2003. "White House Review of Agency Rulemaking: An Empirical Investigation." *University of Chicago Law Review*. 70 (3): 821-885.

O'Connor, Kathleen. 1988. "OMB Involvement in FDA Drug Regulations: Regulating the Regulators." *Catholic University Law Review*. 38: 175-212.

West, William F. 2005. "The Institutionalization of Regulatory Review: Organizational Stability and Responsive Competence at OIRA." *Presidential Studies Quarterly*. 35(1): 76-93.

Wiseman, Alan E. 2008. "Delegation and Positive-Sum Bureaucracies." Unpublished Manuscript, The Ohio State University.