

PS 279: American Bureaucratic Politics

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Bureaucracy is the institution in which the inchoate policy pronouncements of Congress take concrete form. In addition, even a policy clearly articulated by Congress is usually implemented by bureaucrats. The reach of the bureaucracy in public policy is necessarily vast, so it is no surprise that Congress, the president, courts, and interest groups all seek influence over bureaucracies. Moreover, bureaucrats and regulators are very rarely elected in the United States (not at all at the federal level) and are insulated by civil service protection from the political demands voiced by Congress, so the democratic pedigree of bureaucratic decisions is at least questionable. Because of these facts, the role of the bureaucracy in policy formulation and implementation poses interesting positive and normative questions about the functioning of American political institutions, their effects on policy, and their capacity to recognize, address, and solve public problems. Correspondingly, bureaucratic politics has been a fertile area of research on American political institutions.

This seminar provides an overview of this literature, the major substantive issues covered in the American institutions literature on bureaucratic politics, and the theoretical and empirical tools commonly used by contributors to it. The goals of the seminar are to enable graduate students to contribute to this and related literatures themselves, and to make sense of the structures and activities that characterize bureaucracies' involvement in the policy process.

A NOTE ON COURSE BACKGROUND: This is not a class on formal modeling. Nevertheless an important part of the literature on the course topic employs formal models and, in contrast to statistical modeling, we cannot assume a general background fluency with these models. Therefore the first three sessions of the course will consist largely of lectures to establish a foundation to make these models intelligible. This treatment will be entirely self-contained and you will not have to execute any modeling of your own to penetrate the literature, though it does help. You will have to be able to understand and critique the arguments made in formal models.

Simultaneously, much contemporary literature theorizes about structures and goings-on in bureaucracies without explaining any background on what they are, or giving only a highly abstract gloss. Yet neither the newspaper, nor undergraduate training, nor everyday experience typically provides any comprehensive treatment of the bureaucratic substance underlying this theorizing. Therefore, to supply needed substantive background for the remainder of the course, readings for the first three weeks will consist of relatively thick substantive accounts of bureaucratic behavior at various levels. We will not have explicit seminar discussion devoted to these readings at the time they occur, but you should cover them in your written weekly critiques (see below on grades).

Reading

There are three types of required reading: books, book excerpts in a course readings packet (available at Copy Central on Bancroft), and journal articles which are available electronically. The source for reach reading is listed on the sequence of topics below. The required books which you should purchase are:

- Martha Feldman. 1989. *Order without Design: Information Production and Policy Making*. Palo Alto: Stanford University Press.
- Herbert Kaufman. 1981. *The Administrative Behavior of Federal Bureau Chiefs*. Washington, DC: The Brookings Institution.
- Marc Allen Eisner. 2000. *Regulatory Politics in Transition*. Baltimore: Johns Hopkins University Press.
- Daniel Carpenter, *The Forging of Bureaucratic Autonomy*, Princeton University Press 2001.
- David Epstein and Sharyn O'Halloran. 1999. *Delegating Powers*. New York: Cambridge University Press.
- John Huber and Charles Shipan. 2002. *Deliberate Discretion*. New York: Cambridge University Press.
- David Lewis. 2003. *Presidents and the Politics of Agency Design*. Palo Alto: Stanford University Press.

Other books listed are optional; they have not been ordered for the course but you can purchase them from your favorite bookstore if you wish to read them.

Grades

The seminar grade will be determined as follows:

- Participation 25%
- Written critiques 25%
- Research paper 50%

Students must submit written 1-2 page critiques and comments on each week's readings. They may be critical or supportive or both. They may consist of questions for clarification, counterarguments against the claim advanced in the reading, critiques of the evidence and/or theory offered, and so forth. What they should not consist of is either simple summary or unreflective diatribe.¹

The research paper should develop an original argument about bureaucratic politics or significant critique of the literature on some aspect of it. It need not fall under any of the categories listed in the sequence of topics; you can go in any direction you wish. It is also completely open with respect to methodology. It should be at least 20 pages in length. Further guidance will be provided during the semester.

¹Reflective diatribes are of course welcome.

Sequence of Topics and Readings

NOTE: “Req” designates required reading. “Supp” designates supplementary (optional) reading. All readings in the course packet are designated as such. All others are either required books or available electronically (JSTOR or Berkeley library web).

PART I: FORMAL AND SUBSTANTIVE BACKGROUND

Session 1 Introduction and Overview; Spatial Model

- **Req.** Martha Feldman. 1989. *Order without Design: Information Production and Policy Making*. Palo Alto: Stanford University Press.
- **Req.** Jonathan Bendor and Adam Meirowitz. 2004. Spatial Models of Delegation. *American Political Science Review* 98(2): 293-310.

Session 2 Principal-Agent Models

- **Req.–Course Reader** Patrick Bolton and Mathias Dewatripont. 2005. *Contract Theory*. Boston: MIT Press. Pp. 1-43, 489-498, 560-597.
- **Req.–Course Reader** Allan Drazen. 2001. *Political Economy in Macroeconomics*. Princeton: Princeton University Press. Pp. 22-30.
- **Req.** Herbert Kaufman. 1981. *The Administrative Behavior of Federal Bureau Chiefs*. Washington, DC: The Brookings Institution.
- **Req.** Philippe Aghion and Jean Tirole. 1997. Formal and Real Authority in Organizations. *Journal of Political Economy* 105(1): 1-29.

Session 3 Information Transmission in Agency Relationships

- **Req.–Course Reader.** Paul Milgrom and John Roberts. 1992. *Economics, Organization, and Management*. Englewood Cliffs, NJ: Prentice Hall. Pp. 179-194, 358-385.
- **Req.–Course Reader.** Stephen Breyer, Matthew Spitzer, Richard Stewart, and Cass Sunstein. 2006. *Administrative Law and Regulatory Policy*. Aspen Publishers. Pp. 3-35.
- **Req.–Course Reader.** Alfred Aman. 2001. *Administrative Law*. West Publishing Company. Pp. 63-73.
- **Req.** Marc Allen Eisner. 2000. *Regulatory Politics in Transition*. Baltimore: Johns Hopkins University Press.
- **Req.** Vincent Crawford and Joel Sobel. 1982. Strategic Information Transmission. *Econometrica* 50(6): 1431-1451.

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- **Supp.** Wouter Dessein. 2002. Authority and Communication in Organizations. *Review of Economic Studies* 69(4): 811-838.

PART II: BUREAUCRATIC STRUCTURE

Session 4 Political Origins of Bureaucratic Structure

- **Req.–Course Reader** Terry Moe. 1989. The Politics of Bureaucratic Structure. In *Can the Government Govern?* (Chubb and Peterson, eds.). Washington, DC: The Brookings Institution. Pp. 267-329.
 - **Req.** McNollgast. 1987. Administrative Procedures as Instruments of Political Control. *Journal Of Law, Economics, and Organization* 3(2): 243-277.
 - **Req.** Michael Ting. 2002. A Theory of Jurisdictional Assignments in Bureaucracy. *American Journal of Political Science* 46(2): 364-378.
 - **Req.** Rui DeFigueiredo. 2002. Electoral Competition, Political Uncertainty, and Policy Insulation. *American Political Science Review* 96(2): 321-333.
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- **Supp.** McNollgast. 1999. The Political Origins of the Administrative Procedure Act. *Journal of Law, Economics, and Organization* 15(1): 180-217.

Session 5 Information Transmission and Bureaucratic Structure

- **Req.–Course Reader.** Murray Horn. 1995. *The Political Economy of Public Administration*. New York: Cambridge University Press. Pp. 79-133.
 - **Req.** Kathleen Bawn. 1995. Political Control versus Expertise: Congressional Choices about Administrative Procedures. *American Political Science Review* 89(1): 62-73.
 - **Req.** Rui DeFigueiredo, Pablo Spiller, and Santiago Urbiztondo. 1999. An Informational Perspective on Administrative Procedures. *Journal Of Law, Economics, and Organization* 15(1): 283-305.
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- **Supp.** Sean Gailmard and John Patty. 2007. Separation of Powers, Information, and Bureaucratic Structure. Draft, UC Berkeley.

Session 6 Effects of Bureaucratic Structure

- **Req.** David Lewis. 2008. *The Politics of Presidential Appointments*. New York: Cambridge University Press. **PDF version will be distributed.**
- **Req.** Canice Prendergast. 2003. The Limits of Bureaucratic Efficiency. *Journal of Political Economy* 111(5): 929-958.
- **Req.** Sean Gailmard and John Patty. 2007. Slackers and Zealots: Civil Service, Policy Discretion, and Bureaucratic Expertise. *American Journal of Political Science* 51(4): 873-889.

PART III: BUREAUCRATIC BEHAVIOR

Session 7 Bureaucratic Preferences and Decision-Making

- **Req.** C.F. Larry Heimann. 1993. Understanding the Challenger Disaster: Organizational Structure and the Design of Reliable Systems. *American Political Science Review* 87:421-35.
- **Req.** Bendor, Jonathan. 1995. A Model of Muddling Through. *American Political Science Review* 89(4): 819-840.
- **Req.** Daniel Carpenter. 1996. Adaptive Signal Processing, Hierarchy, and Budgetary Control in Federal Regulation. *American Political Science Review* 90(2): 283-302
- **Req.** Canice Prendergast. 2007. The Motivation and Bias of Bureaucrats. *American Economic Review* 97(1).
- **Req.** Joshua Clinton and David Lewis. 2008. Expert Opinion, Agency Characteristics, and Agency Preference. *Political Analysis* forthcoming.

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- **Supp.** Marissa Martino Golden. 2000. *What Motivates Bureaucrats?* New York: Columbia University Press.
 - **Supp.** Daniel McFadden. 1976. The Revealed Preferences of a Government Bureaucracy: Empirical Evidence. *Bell Journal of Economics* 7(1): 55-72.
 - **Supp.** David C. Nixon. 2004. Separation of Powers and Appointee Ideology. *Journal of Law, Economics, and Organization* 20(2):438-57.
 - **Supp.** Keith Brown and Adam Candeub. 2007. What Do Bureaucrats Want: Estimating Regulator Preferences at the FCC. Draft.
 - **Supp.** Jonathan Bendor and Sunil Kumar. 2005. The Perfect is the Enemy of the Best: Adaptive versus Optimal Organizational Reliability. *Journal of Theoretical Politics* 17(1): 5-39.

Session 8 Agency Response to Incentives

- **Req.** James Heckman, Jeff Smith, and Christopher Taber. 1996. What Do Bureaucrats Do? The Effects of Performance Standards and Bureaucratic Preferences on Acceptance into the JTPA Program. National Bureau of Economic Research Working Paper.
- **Req.** Gerald Marschke and Pascal Courty. 1997. Measuring Government Performance: Lessons from a Federal Bureaucracy. *American Economic Review (Papers and Proceedings)* 87(2): 383-88.
- **Req.** James Heckman, Carolyn Heinrich, and Jeffrey Smith. 2002. The Performance of Performance Standards. *Journal of Human Resources* 37(4): 778-811.
- **Req.** Avinash Dixit. 2002. Incentives and Organizations in the Public Sector: An Interpretative Review. *Journal of Human Resources* 37(4): 696-727.

Session 9 Coalition and Empire Building

- **Req.** Daniel Carpenter, *The Forging of Bureaucratic Autonomy*, Princeton University Press 2001.
- **Req.** Samuel Kernell. 2001. Rural service delivery as a critical test of alternative models of American political development. *Studies in American Political Development* 15: 103-112.
- **Req.** Daniel Carpenter. 2001. The Political Foundations of Bureaucratic Autonomy: A Response to Kernell. *Studies in American Political Development* 15: 113-122.

PART IV: BUREAUCRACY AND EXTERNAL ACTORS

Session 10 Congress I

- **Req.–Course Reader.** John Huber and Charles Shipan, 2007. Delegation. In *Oxford Handbook of Political Economy* (Weingast and Whitman, eds.). Oxford: Oxford University Press. Pp. 256-272.
- **Req.** David Epstein and Sharyn O'Halloran. 1999. *Delegating Powers*. New York: Cambridge University Press.
- **Req.** John Huber and Charles Shipan. 2002. *Deliberate Discretion*. New York: Cambridge University Press.

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- **Supp.** Sean Gailmard. 2002. Expertise, Subversion, and Bureaucratic Discretion. *Journal of Law, Economics, and Organization* 18(2).
 - **Supp.** John Huber and Nolan McCarty. Bureaucratic capacity, delegation, and political reform. *American Political Science Review* 98(3): 481-494.
 - **Supp.** Sean Gailmard. 2008. Discretion Rather than Rules: Legislative Choice of Instruments to Control Bureaucratic Policy-making. *Political Analysis* forthcoming.

Session 11 Congress II

- **Req.** Barry Weingast and Mark Moran. 1983. Bureaucratic Discretion or Congressional Control? Regulatory Policy-making by the FTC. *Journal of Political Economy* 91(5): 765-800.
- **Req.** Mathew McCubbins and Thomas Schwartz. 1984. Congressional Oversight Overlooked? Police Patrols or Fire Alarms. *American Journal of Political Science* 28(1): 165-179.
- **Req.** Terry Moe. 1987. An Assessment of the Positive Theory of Congressional Dominance. *Legislative Studies Quarterly* 12(4): 475-520.
- **Req.** Charles Shipan. 2004. Regulatory Regimes, Agency Actions, and the Conditional Nature of Congressional Influence. *American Political Science Review* 98(3): 467-480.

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- **Supp.** Joel Aberbach. 1990. *Keeping a Watchful Eye*. Washington, DC: The Brookings Institution.
 - **Supp.** John Ferejohn and Charles Shipan. 1990. Congressional Influence on Bureaucracy. *Journal of Law, Economics, and Organization* 6(3): 1-20.
 - **Supp.** Bawn, Kathleen. 1997. Choosing Strategies to Control the Bureaucracy: Statutory Constraints, Oversight, and the Committee System. *Journal of Law, Economics, and Organization* 13(1): 101-26.
 - **Supp.** Alberto Alesina and Guido Tabellini. 2007. Bureaucrats or Politicians I: A Single Policy Task. *American Economic Review*.

Session 12 The President

- **Req.–Course Reader.** Terry Moe. 1985. The Politicized Presidency. In *The New Direction in American Politics* (Chubb and Peterson, eds.). Washington, DC: The Brookings Institution. Pp. 235-271.
- **Req.** David Lewis. 2003. *Presidents and the Politics of Agency Design*. Palo Alto: Stanford University Press.
- **Req.** Terry Moe. 1985. Control and Feedback in Economic Regulation: The Case of the NLRB. *American Political Science Review* 79(4): 1094-1116.

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- **Supp.** Terry Moe. 1982. Regulatory Performance and Presidential Administration. *American Journal of Political Science* 26(2): 197-224, and Erratum, 1983, 27(1): 165.
 - **Supp.** Joseph Cooper 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): 864-95.

Session 13 Courts

- **Req.–Course Reader.** Alfred Aman, *Administrative Law*. Pp. 444-536.
- **Req.** Brandice Canes-Wrone. 2003. Bureaucratic Behavior and the Composition of Lower Courts. *American Journal of Political Science* 47(2): 205-214.
- **Req.** Ethan Bueno de Mesquita and Matthew Stephenson. 2007. Regulatory Quality under Imperfect Oversight. *American Political Science Review* 101(3): 605-620.

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- **Supp.** Wendy L Hansen., Renee J. Johnson, and Issac Unah. 1995. Specialized Courts, Bureaucratic Agencies, and the Politics of U.S. Trade Policy. *American Journal of Political Science* 39: 529-57.
 - **Supp.** Spriggs, James. 1997. Explaining Federal Bureaucratic Compliance with Supreme Court Opinions. *Political Research Quarterly* 50:567-593.
 - **Supp.** Matthew Stephenson. 2005. A Costly Signaling Interpretation of the Hard Look Doctrine. *Administrative Law Review*.

Session 14 Interest Groups

- **Req.** Daniel Carpenter. 2004. Protection without Capture. *American Political Science Review* 98(4): 613-631.
- **Req.** Sanford Gordon and Catherine Hafer. 2005. Flexing Muscle: Corporate Political Expenditures as Signals to the Bureaucracy. *American Political Science Review* 99(2): 245-261.
- **Req.** Jason Webb-Yackee and Susan Webb-Yackee. 2006. A Bias Toward Business? Assessing Interest Group Influence on the Bureaucracy. *Journal of Politics* 68(1).

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- **Supp.** Marissa Martino Golden. 1998. Interest Groups in the Rulemaking Process: Who Participates? Whose Voices Get Heard? *Journal of Public Administration Research and Theory* 8.
 - **Supp.** Balla, Steven J. and John R. Wright. 2001. Interest Groups, Advisory Committees, and Congressional Control of the Bureaucracy. *American Journal of Political Science* 45:799-812.
 - **Supp.** Scott Furlong and Cornelius Kerwin. 2004. Interest Group Participation in Rulemaking: A Decade of Change. *Journal of Public Administration Research and Theory* 15(3): 353-370.
 - **Supp.** Frederick Boehmke, Sean Gailmard, and John Patty. 2006. Whose Ear to Bend?, *Quarterly Journal Of Political Science* 1(2): 139-169.
 - **Supp.** Frederick Boehmke, Sean Gailmard, and John Patty. 2007. Business as Usual. Draft, UC Berkeley.

Session 15 Interacting Principals

- **Req.** Randall Calvert, Mathew D. McCubbins, and Barry R. Weingast. 1989. A Theory of Political Control and Agency Discretion. *American Journal of Political Science* 33(3): 588-611.
- **Req.** B. Dan Wood and Richard Waterman. 1991. The Dynamics of Political Control of the Bureaucracy. *American Political Science Review* 85(3): 801-828.
- **Req.** Craig Volden. 2002. A Formal Model of the Politics of Delegation in a Separation of Powers System. *American Journal of Political Science* 46(1): 111-133.
- **Req.** Nolan McCarty. 2004. The Appointments Dilemma. *American Journal of Political Science* 48(3): 413-428.
- **Req.** Sean Gailmard, 2007. Multiple Principals and Oversight of Bureaucratic Policy-Making. Draft, UC Berkeley.

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- **Supp.** John Scholz, Jim Twombly, and Barbara Headrick. 1991. Street-Level Political Controls over Federal Bureaucracy. *American Political Science Review* 85(3): 829-850.
 - **Supp.** Andrew Whitford. 2005. The Pursuit of Political Control by Multiple Principals. *Journal of Politics* 67(1).