

GEORGE MASON UNIVERSITY ANTONIN SCALIA LAW SCHOOL

LAW & ECONOMICS CENTER



HENRY G. MANNE PROGRAM IN LAW & ECONOMICS STUDIES

WORKSHOP FOR LAW PROFESSORS ON THE ECONOMICS OF THE RULE OF LAW

JANUARY 20 – 23, 2017

Friday, January 20

Sextant Room, All Class Sessions

<p>4:00 PM – 4:30 PM REGISTRATION & REFRESHMENTS <i>Sextant Room</i></p>	
<p>4:30 PM – 4:35 PM WELCOME</p>	<p>TODD J. ZYWICKI George Mason University Foundation Professor of Law and Executive Director, Law & Economics Center, George Mason University Antonin Scalia Law School</p>
<p>4:35 PM – 6:00 PM CLASS 1: WHAT IS THE RULE OF LAW AND WHY DOES IT MATTER?</p>	<p>TODD J. ZYWICKI READING ASSIGNMENT: Zywicki, "Upholding the Rule of Law, In Season and Out of Season," (2012), available at <i>Library of Law & Liberty</i>: http://www.libertylawsite.org/2012/04/20/upholding-the-rule-of-law-in-season-and-out-of-season/ Zywicki, "The Rule of Law, Freedom, and Prosperity," 10 <i>Supreme Court Economics Review</i> 1 (2003), read pages 3-15 and 21-23 only</p>
<p>6:00 PM – 9:00 PM RECEPTION AND DINNER HISTORY OF THE LEC <i>King's Crown Lawn</i></p>	

Saturday, January 21

Sextant Room, All Class Sessions

<p>7:30 AM – 8:20 AM BREAKFAST <i>Quarterdeck</i></p>	
<p>8:30 AM – 10:00 AM CLASS 2: WHAT IS DEVELOPMENT?</p>	<p>CHRISTOPHER J. COYNE F.A. Harper Professor of Economics, George Mason University and Associate Director, F.A. Hayek Program for Advanced Study in Philosophy, Politics, and Economics, Mercatus Center at George Mason University READING ASSIGNMENT: Bauer, "From Subsistence to Exchange" in <i>From Subsistence to Exchange</i> (Princeton University Press, 2000) Baumol, "Entrepreneurship: Productive, Unproductive, and Destructive," 98 <i>Journal of Political Economy</i> 893 (No. 5, part I, Oct. 1990) Skarbeck and Leeson, "What Can Aid Do?," 29 <i>CATO Journal</i> 391 (No. 3, 2009)</p>
<p>10:30 AM – 12:00 PM CLASS 3: THE INSTITUTIONAL APPROACH TO DEVELOPMENT</p>	<p>CHRISTOPHER J. COYNE READING ASSIGNMENT: Cochrane, "The Rule of Law in the Regulatory State," essay prepared for the Hoover Institution conference on The Foundation of Liberty: Magna Carta After 800 Years (June 25, 2015) Hayek, "Planning and the Rule of Law," in <i>The Road to Serfdom</i> (University of Chicago Press, 1944) Weingast, "The Economic Role of Political Institutions: Market-Preserving Federalism and Economic Development," 11 <i>Journal of Law, Economics, and Organization</i> 1 (No. 1, 1995)</p>

Saturday, January 21

Sextant Room, All Class Sessions

12:00 PM – 12:50 PM

LUNCH

Quarterdeck

1:00 PM – 2:30 PM

CLASS 4: INTRODUCTION TO CONSTITUTIONAL ECONOMICS

MICHAEL C. MUNGER

Professor, Department of Political Science; Professor, Departments of Economics and Public Policy; and Director, PPE Program, Duke University

READING ASSIGNMENT:

Buchanan, "The Domain of Constitutional Economics," 1 *Constitutional Political Economy* 1 (No. 1, 1990)

Cooter and Siegel, "Collective Action Federalism: A General Theory of Article I, Section 8," 63 *Stanford Law Review* 115 (2010)

RECOMMENDED:

Macey, "Competing Economic Views of the Constitution," 56 *George Washington Law Review* 50 (No. 1, November 1987)

Mueller, "Constitutions, Economic Approach to," in *The New Palgrave Dictionary of Economics*, 2nd Edition, Durlauf and Blume, eds. (Palgrave Macmillan, 2008)

2:30 PM

ADJOURN FOR THE DAY

Sunday, January 22

Sextant Room, All Class Sessions

7:30 AM – 8:20 AM

BREAKFAST

Quarterdeck

8:30 AM – 10:00 AM

CLASS 5: THE RULE OF LAW AND ECONOMIC GROWTH IN AMERICAN HISTORY

RANDALL G. HOLCOMBE

DeVoe Moore Professor of Economics, Florida State University

READING ASSIGNMENT:

Baumol, "Entrepreneurship: Productive, Unproductive, and Destructive," 98 *Journal of Political Economy* 893 (No. 5, part I, Oct. 1990)

Holcombe, "Veterans Interests and the Transition to Government Growth: 1870-1915," 99 *Public Choice* 311 (Nos.3/4, 1999)

10:30 AM – 12:00 PM

CLASS 6: PRESERVING CONSTITUTIONAL GOVERNMENT - CONSTITUTIONS IN TIMES OF CRISIS

MICHAEL C. MUNGER

READING ASSIGNMENT:

North and Weingast, "Constitutions and Commitment: The Evolution of Institutions Governing Public Choice in 17th Century England," 49 *Journal of Economic History* 803 (December 1989)

Weingast, "The Economic Role of Political Institutions: Market-Preserving Federalism and Economic Development," 11 *Journal of Law, Economics, and Organization* 1 (No. 1, 1995)

Weingast and Mittal, "Self-Enforcing Constitutions: With an Application to Democratic Stability in America's First Century," 29 *Journal of Law, Economics, and Organization* 278 (No. 2, 2013)

RECOMMENDED:

Weingast, Mittal, and Jacobi, "Creating a Self-Stabilizing Constitution: The Role of the Takings Clause," 109 *Northwestern University Law Review* 601 (No. 3, 2015)

Sunday, January 22

Sextant Room, All Class Sessions

12:00 PM – 12:50 PM

LUNCH

Quarterdeck

1:00 PM – 2:30 PM

CLASS 7: THE RULE OF LAW AND CRONYISM

RANDALL G. HOLCOMBE

READING ASSIGNMENT:

Tullock, "The Transitional Gains Trap," 6 *Bell Journal of Economics* 671 (No. 2, Autumn 1975)

Holcombe, "Political Capitalism," 35 *CATO Journal* 41 (No. 1, Winter 2015)

2:30 PM – 6:00 PM

STUDY BREAK

6:00 PM – 7:00 PM

CLASS 8: DISCUSSION AND RESEARCH IDEAS

CHRISTOPHER J. COYNE
RANDALL G. HOLCOMBE
MICHAEL C. MUNGER
TODD J. ZYWICKI

7:00 PM – 9:00 PM

RECEPTION, DINNER, AND CLOSING REMARKS

Sunset Beach Luau

Monday, January 23

DEPARTURE

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3301 FAIRFAX DRIVE, ARLINGTON, VIRGINIA 22201 | 703.993.8040 | www.MasonLEC.org