



**LEC WORKSHOP  
FOR LAW  
PROFESSORS  
ON PUBLIC CHOICE  
ECONOMICS**

GEORGE MASON UNIVERSITY ANTONIN SCALIA LAW SCHOOL

**LAW &  
ECONOMICS  
CENTER**

**HENRY G. MANNE PROGRAM IN  
LAW & ECONOMICS STUDIES**

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**NOVEMBER 1 – 3, 2018**

## Thursday, November 1

### TRAVEL DAY

No Events Planned

## Friday, November 2

Hazel Hall, Room 215  
All Friday Classes

6:00 AM - **BREAKFAST**  
8:30 AM  
*Residence Inn*

8:30 AM - **WALK TO SCALIA LAW SCHOOL**  
8:45 AM  
*Residence Inn to Hazel Hall Room 215*

8:30 AM - **REGISTRATION**  
8:55 AM  
*For local participants*

9:00 AM - **WELCOME**  
9:10 AM

**HENRY N. BUTLER**  
Executive Director, Law & Economics Center  
Dean and Professor of Law, George Mason University Antonin Scalia Law School

**TODD J. ZYWICKI**  
George Mason University Foundation Professor of Law,  
George Mason University Antonin Scalia Law School

9:10 AM - **CLASS 1: INTRODUCTION TO PUBLIC CHOICE - ECONOMIC REASONING AND THE AXIOMS AND ASSUMPTIONS OF PUBLIC CHOICE THEORY**  
10:30 AM

**TODD J. ZYWICKI**

**READING ASSIGNMENT**  
STEARNS AND ZYWICKI, "[CHAPTER ONE: INTRODUCTION TO ECONOMIC ANALYSIS OF COLLECTIVE DECISION-MAKING](#)" IN *PUBLIC CHOICE CONCEPTS AND APPLICATIONS IN LAW* (WEST, 2009).

STEARNS, ZYWICKI, AND MICELI, [LAW AND ECONOMICS: PRIVATE AND PUBLIC](#) (WEST, 2018) (EBOOK PROVIDED):  
CHAPTER 1: INTRODUCTION TO THE ECONOMIC ANALYSIS OF LAW  
CHAPTER 11: INTEREST GROUP THEORY (PART 1).

## Friday, November 2

Hazel Hall, Room 215  
All Friday Classes

10:45 AM - **CLASS 2: HARBERGER TRIANGLES AND TULLOCK RECTANGLES - RENT-SEEKING, RENT-EXTRACTION, AND THE TRANSITION GAINS TRAP**  
12:00 PM

### HENRY N. BUTLER

#### READING ASSIGNMENT

TULLOCK, "[THE WELFARE COSTS OF TARIFFS, MONOPOLIES, AND THEFT](#)", 5(3) *WESTERN ECONOMIC JOURNAL* 224 (1967).

McCHESNEY, "[RENT EXTRACTION AND RENT CREATION IN THE ECONOMIC THEORY OF REGULATION](#)", 16 *JOURNAL OF LEGAL STUDIES* 101 (1987).

TULLOCK, "[THE TRANSITIONAL GAINS TRAP](#)", 6(2) *BELL J. OF ECONOMICS* 671 (1975).

12:00 PM - **GROUP LUNCH**  
1:00 PM  
*Hazel Hall  
B-1 Lunchroom*

1:00 PM - **CLASS 3: POSITIVE POLITICAL ECONOMY AND THE LAW**  
2:15 PM

### MICHAEL C. MUNGER

Professor of Political Science and Director of the Program on Politics, Philosophy, and Economics, Duke University

#### READING ASSIGNMENT

MUNGER AND MUNGER, [CHOOSING IN GROUPS: ANALYTICAL POLITICS REVISITED](#) (CAMBRIDGE UNIVERSITY PRESS, 2015), CHAPTERS 1-3.

McNOLLGAST, "[THE POLITICAL-ECONOMY OF LAW](#)", IN A. MITCHELL POLINSKY AND STEPHEN SHAVEL, EDS., *LAW AND ECONOMICS HANDBOOK VOL 2* (NORTH HOLLAND, 2008).

# AGENDA

**FRIDAY CLASSES:** Antonin Scalia Law School, Hazel Hall, 3301 Fairfax Drive, Arlington, VA 22201

**HOTEL & SATURDAY CLASSES:** Residence Inn Arlington Ballston, 650 North Quincy Street, Arlington, VA 22203

## Friday, November 2

Hazel Hall, Room 215  
All Friday Classes

2:30 PM -  
3:45 PM **CLASS 4: INTRODUCTION  
TO SOCIAL CHOICE AND  
THE LAW**

**MAXWELL L. STEARNS**

Venable, Baetjer & Howard Professor of Law, University of  
Maryland Francis King Carey School of Law

**READING ASSIGNMENT**

STEARNS, ZYWICKI, AND MICELI, LAW AND ECONOMICS: PRIVATE AND  
PUBLIC:

CHAPTER 13: SOCIAL CHOICE (PART 1)

CHAPTER 14: SOCIAL CHOICE (PART 2).

4:00 PM -  
5:15 PM **CLASS 5: RENT SEEKING**

**MICHAEL C. MUNGER**

**READING ASSIGNMENT**

BUCHANAN, "RENT SEEKING, NONCOMPENSATED TRANSFERS, AND  
LAWS OF SUCCESSION", *THE JOURNAL OF LAW & ECONOMICS* VOL. 26,  
NO. 1 (APR., 1983), PP. 71-85.

MUNGER, "ON THE CONTINGENT VICE OF CORRUPTION", *SOCIAL  
PHILOSOPHY AND POLICY* (FORTHCOMING).

OSBORNE, "WHAT'S YOURS IS MINE: RENT-SEEKING AND THE  
COMMON LAW", *PUBLIC CHOICE* APRIL 2002, VOLUME 111, ISSUE  
3-4, PP 399-415.

5:30 PM -  
8:00 PM **RECEPTION & GROUP  
DINNER**

Rustico, 4075 Wilson  
Boulevard, Arlington, VA

## Saturday, November 3

Residence Inn, Liberty Room  
All Saturday Classes

7:00 AM -  
8:15 AM **BREAKFAST**  
*Residence Inn*

8:30 AM -  
9:45 PM **CLASS 6: PUBLIC  
CHOICE AND  
LEGISLATIVE  
INTENT: PROBLEMS  
IN STATUTORY  
INTERPRETATION**

**MICHAEL C. MUNGER**

**READING ASSIGNMENT**

SHEPSLE, "CONGRESS IS A "THEY," NOT AN "IT":  
LEGISLATIVE INTENT AS OXYMORON", 12 *INTERNATIONAL  
REVIEW OF ECONOMICS* V239 (1992).

SHEPSLE AND WEINGAST, "STRUCTURE-INDUCED EQUILIBRIUM  
AND LEGISLATIVE CHOICE", 37 *PUBLIC CHOICE* 503 (No. 3,  
1981).

10:00 AM -  
11:15 AM **CLASS 7:  
BUREAUCRACY AND  
CONSTITUTIONAL  
ECONOMICS**

**TODD J. ZYWICKI**

**READING ASSIGNMENT**

STEARNS, ZYWICKI, AND MICELI, LAW AND ECONOMICS:  
PRIVATE AND PUBLIC:

CHAPTER 12: INTEREST GROUP THEORY (PART 2)

CHAPTER 19: THE EXECUTIVE BRANCH AND AGENCIES (PART  
1)

CHAPTER 23: CONSTITUTIONS (PART 1).

## Saturday, November 3

Residence Inn, Liberty  
Room  
All Saturday Classes

11:30 AM -  
12:45 PM

### CLASS 8: EMPIRICAL STUDIES OF PUBLIC CHOICE

#### ALEX TABARROK

Director, Center for Study of Public Choice and Bartley J.  
Madden Chair in Economics, George Mason University  
Department of Economics

#### READING ASSIGNMENT

BULLOCK, ET AL, "[PARTISAN BIAS IN FACTUAL BELIEFS ABOUT POLITICS](#)" 10 *QUARTERLY JOURNAL OF POLITICAL SCIENCE* 519 (No. 4, 2015).

TABAKOVIC AND WOLLMANN, "[FROM REVOLVING DOORS TO REGULATORY CAPTURE? EVIDENCE FROM PATENT EXAMINERS](#)"  
WORKING PAPER 24638, NATIONAL BUREAU OF ECONOMIC RESEARCH (2018).

HELLAND AND TABARROK, "[THE EFFECT OF ELECTORAL INSTITUTIONS ON TORT AWARDS](#)" 4 *AMERICAN LAW AND ECONOMICS REVIEW* 341 (No. 2, 2002).

12:45 PM -  
2:30 PM

### WORKING LUNCH: CURRENT RESEARCH FORUM FOR PARTICIPANTS

MICHAEL C. MUNGER  
ALEX TABARROK  
TODD J. ZYWICKI

2:30 PM

### ADJOURN

GEORGE MASON UNIVERSITY ANTONIN SCALIA LAW SCHOOL

# LAW & ECONOMICS CENTER

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