

Perspectives on Regulation – Fall 2022

Thursdays, 8:10 pm – 10:10 pm

Professor Timothy J. Muris

Regulation has become pervasive in America, indeed throughout the world, and I have studied, observed, and worked in the regulatory state over the 48 years of my professional career. Much of the law school curriculum involves regulation, and we will continue that study. Our introductory text is the late James Q Wilson's *Bureaucracy*, often called the best book on the subject. Former Senator Daniel Patrick Moynahan called Wilson "the smartest man in America," and Wilson studied regulation throughout his illustrious career. For example, at Harvard he supervised numerous dissertations studying individual regulatory agencies and topics, and Wilson himself had first hand experience studying many forms of regulation. I will suggest other readings relevant to your papers and on topics we discuss during the semester, especially related to "current" events.

Grades will be based upon a paper, about a government agency or subpart due the last class period, **Thursday, November 17th**. I will circulate a list of topics, from which you can choose to write or we can mutually agree on the topic. We will have multiple individual meetings on your papers. I will circulate a sign-up sheet on September 15th with individual meetings on your topics will be September 22nd.

An outline, of at least 4-5 pages double spaced pages, will be due on October 12th via email: tmuris@gmu.edu. Individual meetings with me on the outlines will be on October 13th. I will circulate a signup sheet on October 6th.

One format of the paper can follow the Wilson book and include a brief description of your agency (or subpart), including budget size, number of employees, and relationship with its parent agency (if it has one). Then:

- Discussion of an important aspect of the internal operation of the agency. Two examples: (1) what is the dominant background, training, outlook, etc. of the operators, and how does that influence their behavior, (2) what is the relationship between the operators and the managers.
- Discussion of some aspect of the relationship of the agency to its external environment. Use the Wilson analysis (e.g., if you are discussing how the clients influence the operation of the agency).
- Observations on how the above elements influence the agency's performance.

Learning Outcomes:

The American Bar Association requires that this syllabus describe what the ABA calls “learning outcomes.” For this course, the learning outcomes include one that has been designated by the faculty: “Students will exercise the professional skills expected of members of the legal profession.”