DOING the RIGHT THING

COLLECTIVE ACTION AND PROCEDURAL CHOICE IN THE NEW LEGISLATIVE PROCESS

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Xiang Xie

Doing the Right Thing Lawrence Becker, 2005 Doing the Right Thing examines the use of extraordinary legislative procedures in four cases in the U S Congress to accomplish policy objectives that many political scientists would argue are impossible to achieve It not only shows that Congress is capable of imposing parochial costs in favor of general benefits but it argues that Congress is able to do so in a variety of policy areas through the use of very different kinds of procedural mechanisms that are underappreciated The book opens by developing a theory of procedural choice to explain why Congress chooses to delegate in differing degrees in dealing with similar kinds of policy problems. The theory is then applied to four narrative case studies military base closures the Yucca Mountain Project NAFTA and the Tax Reform Act of 1986 that both show the variety of factors that impact procedural choice and highlight how our national legislature was able to do the right thing The book concludes by pointing to the variety of ways in which Congress will be confronted with similar policy problems in the coming years and offering some lessons from these cases about what kinds of procedures and policy outcomes we might expect In short Congress is remarkably adept at doing the right thing even under difficult circumstances but only when legislators are willing to manipulate procedures in all the necessary ways Yale Law Journal Yale Law Journal, 2013-06-11 May 2013 issue includes articles by internationally recognized scholars Articles and Features include City Unplanning by David Schleicher Rethinking the Federal Eminent Domain Power by William Baude Behavioral Economics and Paternalism by Cass R Sunstein The Continuum of Excludability and the Limits of Patents by Amy Kapczynski Talha SyedIn addition the issue includes substantial contributions from student editors Note Should the Ministerial Exception Apply to Functions Not Persons by Jed Glickstein Note How Do You Measure a Constitutional Moment Using Algorithmic Topic Modeling To Evaluate Bruce Ackerman's Theory of Constitutional Change by Daniel Taylor Young Comment Interpretation Step Zero A Limit on Methodology as Law by Andrew Tutt Comment The JOBS Act and Middle Income Investors Why It Doesn t Go Far Enough by James J Williamson Finally the issue features selected results from the Prison Law Writing Contest authored by Elizabeth A Reid Ernie Drain and Aaron Lowers **Doing the Right Thing** Lawrence A Becker, 2020-06-04 Doing the Right Thing examines the use of extraordinary legislative procedures in four cases in the U S Congress to accomplish policy objectives that many political scientists would argue are impossible to achieve It not only shows that Congress is capable of imposing parochial costs in favor of general benefits but it argues that Congress is able to do so in a variety of policy areas through the use of very different kinds of procedural mechanisms that are underappreciated The book opens by developing a theory of procedural choice to explain why Congress chooses to delegate in differing degrees in dealing with similar kinds of policy problems The theory is then applied to four narrative case studies military base closures the Yucca Mountain Project NAFTA and the Tax Reform Act of 1986 that both show the variety of factors that impact procedural choice and highlight how our national legislature was able to do the right thing The book concludes by pointing to

the variety of ways in which Congress will be confronted with similar policy problems in the coming years and offering some lessons from these cases about what kinds of procedures and policy outcomes we might expect In short Congress is remarkably adept at doing the right thing even under difficult circumstances but only when legislators are willing to manipulate procedures in all the necessary ways Exceptions to the Rule Molly E. Reynolds, 2017-07-18 Special rules enable the Senate to act despite the filibuster Sometimes Most people believe that in today s partisan environment the filibuster prevents the Senate from acting on all but the least controversial matters But this is not exactly correct In fact the Senate since the 1970s has created a series of special rules described by Molly Reynolds as majoritarian exceptions that limit debate on a wide range of measures on the Senate floor The details of these exemptions might sound arcane and technical but in practice they have enabled the Senate to act even when it otherwise seemed paralyzed Important examples include procedures used to pass the annual congressional budget resolution enact budget reconciliation bills review proposals to close military bases attempt to prevent arms sales ratify trade agreements and reconsider regulations promulgated by the executive branch Reynolds argues that these procedures represent a key instrument of majority party power in the Senate They allow the majority even if it does not have the sixty votes needed to block a filibuster to produce policies that will improve its future electoral prospects and thus increase the chances it remains the majority party As a case study Exceptions to the Rule examines the Senate's role in the budget reconciliation process in which particular congressional committees are charged with developing procedurally protected proposals to alter certain federal programs in their jurisdictions Created as a way of helping Congress work through tricky budget issues the reconciliation process has become a powerful tool for the majority party to bypass the minority and adopt policy changes in hopes that it will benefit in the next election cycle

Pathways of Power Timothy J. Conlan, Paul L. Posner, David R. Beam, 2014-03-05 While textbooks often describe an idealized model of how a bill becomes law and journalists emphasize special interest lobbying and generous campaign contributions to Congress these approaches fail to convey much less explain the tremendous diversity in political processes that shape specific policies in contemporary Washington Pathways of Power provides a framework that integrates the roles of political interests and policy ideals in the contemporary policy process This book argues that the policy process can be understood as a set of four distinctive pathways of policymaking pluralist partisan expert and symbolic that draw upon different political resources appeal to different political actors and elicit unique strategies and styles of coalition building The book s use of a wide universe of major policy decisions provides a useful foundation for students of the policy process as well as for policy practitioners eager to learn more about their craft *Congress and the Politics of Problem Solving* E. Scott Adler, John D. Wilkerson, 2012 For many Congress is an institution consumed by partisan bickering and gridlock Yet the institution s long history of addressing significant societal problems even in recent years seems to contradict this view The authors of this book argue that the willingness of many voters to hold elected officials accountable for societal conditions is

central to appreciating why Congress responds to problems in society despite the many reasons mustered for why it cannot The authors show that across decades of policy making problem solving motivations explain why bipartisanship is a common pattern of congressional behavior and offer the best explanation for legislative issue attention and policy change

Reforms at Risk Eric M. Patashnik,2024-11-01 A fascinating account of why some general interest policy reforms stick and others fall apart This is political science at its best Julian Zelizer Princeton University Winner of the Louis Brownlow Book Award National Academy of Public Administration Reforms at Risk is the first book to closely examine what happens to sweeping and seemingly successful policy reforms after they are passed Most books focus on the politics of reform adoption yet as Eric Patashnik shows here the political struggle does not end when major reforms become enacted Why do certain highly praised policy reforms endure while others are quietly reversed or eroded away Patashnik peers into some of the most critical arenas of domestic policy reform including taxes agricultural subsidies airline deregulation emissions trading welfare state reform and reform of government procurement to identify the factors that enable reform measures to survive He argues that the reforms that stick destroy an existing policy subsystem and reconfigure the political dynamic Patashnik demonstrates that sustainable reforms create positive policy feedbacks transform institutions and often unleash the creative destructiveness of market forces Reforms at Risk debunks the argument that reforms inevitably fail because Congress is prey to special interests and the book provides a more realistic portrait of the possibilities and limits of positive change in American government It is essential reading for scholars and practitioners of U S politics and public policy offering practical lessons for anyone who wants to ensure that hard fought reform victories survive In this penetrating and important book Eric Patashnik explores the political circumstances that enable reforms to endure Paul J Quirk University of British Columbia

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