

How Law and Economics Contributes to the Cost / Benefit Analysis in Public Policy-A Case Study of the Food Stamp Act of the United States

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Abstract

This paper aims to explore the application of law and economics in public policy and legislation. The US Food Stamp Act of 1977 is the case to be examined. The legislation of the food stamp programs provides a robust evidence of efficiency and equity in the context of consumer choice theory and transaction cost of microeconomics. Several economics models are provided to support the efficiency argument. This paper concludes that the food stamp program has created the maximum utility of low-income households through a subtle allotment of free subsidized food. The law prevents the welfare from being abused by recipients. In these regards, the FSA is a role model of welfare legislation with great policy implications, which deserve attention from both policy-makers and academics in law and economics circles in Taiwan.

Keywords: Law and Economics, the Food Stamp Act, Public Policy

法律經濟學對公共政策之效益分析—— 以美國食物券法之立法例為例

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摘 要

本文旨在探討以經濟學作為立法政策基礎之可行性與實用性。本文以美國食物券法為例，分析其修法之經濟學考量，並以個體經濟學之消費者選擇理論為基礎，援引經濟學模型以進一步剖析比較修法前後之經濟效益與公平性。本文結論認為該法巧妙的以定額制度為低收入戶創造最大經濟效益、同時確保社會福利不致遭濫用，實為經濟學應用於立法政策與立法例之成功典範。在立法實務方面，對於台灣之社會福利法制之立法有相當參考價值。此立法例可證明運用經濟學原理制定政策與推動立法具有高度可行性。

關鍵字：法律經濟學、美國食物券法、公共政策