

*Congressional hearings and the BCS: Using public choice theory to explain the interest of politicians in college football*

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When U.S. Sen. Orrin Hatch of Utah sent President Obama a letter in October 2009 requesting Justice Department review of the legality and fairness of the Bowl Championship Series (BCS), it marked the latest attempt by the Senator to reform college football's postseason. As a member of the Senate Judiciary Committee, Hatch has been involved in three hearings on the BCS. Congress has held a total of five different hearings on college football's postseason since 2003, including two in 2009, without passing any legislation.

One possible explanation for Hatch's interest in college football would be to apply the tenets of public choice theory, called simply "the application of economics to political science" (Mueller, 2003, p. 1). Within the context of public administration, Ostrom and Ostrom (1971, p. 205) extended public choice theory to individualism, stating "the assumptions made about individual behavior become critical in building a coherent theory." They identified four assumptions about individual behavior: self-interest, rationality, benefit-maximizing, and uncertainty-minimizing.

The purpose of this paper is to apply Ostrom and Ostrom's assumptions of public choice theory individualism to the statements and perspectives of members of Congress as they have held hearings on the BCS. This was achieved by reviewing transcripts from each of the hearings and identifying recurring themes the politicians have used as they interact with witnesses and address specific legal issues relative to the BCS.

Additionally, the paper includes an analysis of how the politicians have positioned their interests in the BCS, beginning with a trend toward the issues of fairness and exclusion, and more recently a question the revenue distribution of BCS monies as well. The emphasis on fairness and exclusion can also be tied to another aspect of public choice theory, specifically Rawls' (1971) work on justice theory. He concluded legislative discussions should not be conceived as a "contest between interests but as an attempt to find the best policy as defined by the principles of justice" (p. 357).

Results indicate politicians do tend toward self-interest in their statements by pandering to celebrity witnesses, such as former NFL stars and college coaches, recounting their glory days as former football players, and emphasizing specific issues which appear more important to their constituent base than to the nation as a whole. At the same time, politicians also exhibited a high degree of uncertainty-minimizing as they sought to obtain information about how the BCS system works and what alternatives for resolution exist.