

Online Supplement

Delegated Discretion versus Residual Vagueness: Judicial Policing of Statutory Delegation in Korean Regulatory Adjudication

Table S1. Literature summary (full table)

Study	Theoretical lens	Context	Method	Key finding	Relation to present paper
Stigler (1971)	Economic theory of regulation	U.S. regulation	Theory	Regulation is acquired by the industry and operated for its benefit	Foundational capture theory; capture is background rather than an observed outcome
Peltzman (1976)	Political support maximization	U.S. regulation	Formal model	Regulator balances competing interest groups	Generalizes the capture supply side
Becker (1983)	Interest group competition	General	Formal model	Pressure competition limits dead-weight loss	Bounds on capture through group rivalry
Laffont & Tirole (1991)	Agency theory of regulation	Procurement, regulation	Formal model	Discretion creates informational rents that organized groups can bid for	Microfoundation for capture through discretion
Dal Bó (2006)	Regulatory capture	Survey	Review	Taxonomy of capture channels and evidence	Locates the delegation channel among alternatives
Grossman & Hart (1986)	Incomplete contracts	Firms	Formal model	Residual control rights determine ex post allocation	Residual-control analogy used to motivate the authors' mechanism
Hart & Moore (1990)	Property rights	Firms	Formal model	Value of residual control under non-contractibility	Residual-control background; no direct statutory win-rate prediction
Tirole (1999)	Incomplete contracts	Survey	Theory	Foundations and limits of incomplete contracting	Incomplete-contract background; the marker-class split is authorial
Schwartz & Scott (2003)	Contract interpretation	Commercial contracts	Theory	Interpretive default rules shape contracting behavior	Interpretation as the ex post allocation stage
Aghion & Tirole (1997)	Formal vs. real authority	Organizations	Formal model	Delegation of real authority motivates agents	Formal-versus-real authority analogy only
Huber & Shipan (2002)	Positive political theory	Comparative legislatures	Panel regression	Statutory discretion varies with capacity and conflict	Delegation is endogenous to complexity
Epstein & O'Halloran (1999)	Transaction cost politics	U.S. Congress	Formal + empirical	Discretion form is chosen, not given	Treatment (textual form) reflects drafting choice
Gailmard & Patty (2012)	Formal bureaucracy	U.S. administration	Formal model	Expertise acquisition interacts with discretion	Background on expertise, discretion, and bureaucratic organization
Carpenter & Moss (2014)	Capture prevention	Edited volume	Multiple	Capture is preventable by institutional design	Institutional-design background; capture is not measured

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Tirole (1986)	Hierarchies and collusion	Organizations	Formal model	Multi-tier hierarchies lose control through side contracting	Motivates multi-tier reading of review
Spiller (1992)	Court–agency interaction	U.S. regulation	Formal model	Courts and agencies act strategically	Review stage as strategic constraint
Stephenson (2006)	Judicial deference	U.S. administrative law	Formal model	Deference doctrine shapes allocation of interpretive authority	The deference hypothesis tested here
Bueno de Mesquita & Stephenson (2007)	Regulatory quality	U.S. administrative law	Formal model	Review interacts across rounds of regulation	Nonindependence across review rounds
Priest & Klein (1984)	Selection of disputes	U.S. litigation	Theory	Litigated cases select toward the decision standard	Discipline for reading win rates
Galanter (1974)	Repeat players	U.S. litigation	Theory + empirical	Repeat players come out ahead	State as repeat player makes the deficit informative
Choi et al. (2012)	Contract boilerplate	Sovereign bonds	Empirical	Boilerplate evolves slowly and stickily	Text persistence in legal corpora
Katz & Bommarito (2014)	Legal complexity	U.S. Code	Network + text	Statutory complexity is measurable at scale	Methodological template for corpus measurement
Ash et al. (2022)	Economics of judicial language	U.S. courts	NLP	Judicial language predicts downstream outcomes	Text as data applied to adjudication
Kim & Lee (2008)	Indeterminate concepts	Korean tax law	Doctrinal	Validity of indeterminate concepts under the essentiality principle	Korean doctrine for the incidental class
Kwon & Seo (2020); Kim & Hong (2020)	Delegation limits	Korean public law	Doctrinal	Blanket delegation review criteria under Articles 75 and 95	Korean doctrine for the deliberate class