Contents

Editor’s introduction 2
Standing Group Co-chairs’ message 3
The Group’s biennial conference 4
Biennial conference call for papers 5
Giandomenico Majone Prize 6
Book Review: The Regulatory State in an Age of Governance: Soft Words and Big Sticks 7
Recent books on regulation and governance 10
Research Centres on Regulation 14
Call for Papers: Regulation & Governance 15
Introduction

Ian Bartle
Editor

Welcome to the first issue of the new newsletter of the European Consortium for Political Research (ECPR) Standing Group on Regulatory Governance. In establishing this newsletter we aim to set up a forum to bring together the disparate aspects of the group, to inform members of the wide range of activities and to facilitate and stimulate further collaboration. The Standing Group has now been established for two years. For several years communication has been facilitated by the ‘regulation’ email list which is now distributed to about 1000 academics and practitioners worldwide.

We envisage that the newsletter will contain pieces on a wide variety of themes including:

• conferences, seminars and workshops, calls for papers;
• reports on events;
• short features on regulation and governance themes and key case studies;
• book reviews;
• major projects, particularly international collaborations and networks;
• research centres on regulation and associated themes;
• lists and possibly outlines of recently published books, journal special issues on themes related to regulation and governance;
• internet materials and resources;
• funding opportunities and possibilities for collaboration;
• new appointments;
• research student activities.

We would like to take this opportunity to call for content. Short pieces (no more than 2-3 pages – about 800-1000 words) on any theme or activity associated with regulatory governance are welcome.

We intend to publish and distribute the newsletter about 3-4 times per year in electronic format only (as a pdf document). The Standing Group has little funds of its own and thus we aim to keep the newsletter simple and costs low. It will be archived on the Group’s website.

We hope that this will be a participative format and to that end call especially for ideas on content and assistance specifically with soliciting content. At this stage the newsletter is somewhat experimental. We welcome and would like to encourage feedback and comments on the format and content of the newsletter and suggestions about what would be useful.
Standing Group Co-chairs’ message

Jacint Jordana and David Levi-Faur
Standing Group Co-chairs

We are very happy to introduce the first issue of the Newsletter of the Standing Group on Regulatory Governance. We are confident that this model will lead our group forward to help develop a field that promises to be a major arena for social science research in the coming decades. We hope that together we will make it a major source for professional information and a tool to enhance contact among the members of our growing community.

The Standing Group on Regulatory Governance was formally created in the ECPR General Conference in Budapest in September 2005. It was created after we realized the strong interest on the study of regulation and governance. While grounded organizationally in the ECPR it includes among its members social scientists at large and even some scholars from the natural sciences.

During the last three years, we organized the first Standing Group Conference (University of Bath, September 2006) and are about to convey our second biennial conference in Utrecht (June 2008). In between, we conveyed one of the most successful and well attended sections in the ECPR General Conference in Pisa. We also created an email list with 1,000 members and supported the establishment of a new journal Regulation & Governance. In our Utrecht conference we plan to grant for the first time the Giandomenico Majone Prize. This award recognizes outstanding research by scholars in early stages of her or his career in the field of regulatory governance from all relevant disciplinary backgrounds. The prize is in honour of Giandomenico Majone for his outstanding contribution for the study of regulatory governance in the European Union and well beyond it. The member of the selection committee are: Prof Claudio Radaelli (Exeter), Chair; Prof. Markus Haverland (Erasmus University) & Prof. Jarle Trondal (University of Oslo).

We would like to thank Ian Bartle, our editor, who has taken the responsibility of editing the Newsletter. Finally, the Standing Group is open for more collaborations and contributions, to make stronger the scholars’ network on regulatory governance we already have initiated, aiming to provide common goods for all those interested in this area. We invite all our readers to contribute to the newsletter and to initiate projects.

Yours
Jacint Jordana & David Levi-Faur
The Group’s biennial conference

The centrepiece of the Group’s activities is its biennial conference. The inaugural conference entitled ‘Frontiers of Regulation: Assessing Scholarly Debates and Policy Challenges’ took place at the University of Bath in September 2006 organised by the University’s Centre for the study of Regulated Industries. The conference attracted over 100 participants and over 90 scholarly papers from a wide range of countries across Europe, North America, Australia and Asia.

Keynote speakers were Peter Freeman, Chairman, UK Competition Commission, and Chairman of the Regulatory Policy Institute (an independent research institute based at Oxford University) and Professor Daniel Carpenter, Professor of Government, Harvard University.

Broad themes were the new challenges of meeting public interest objectives in the context of the increasing fragmentation of public authorities and the varieties of regulatory institutions, mechanisms and processes. Debates connected to issues, concepts and critiques surrounding the rise of the ‘regulatory state’ and the emerging global order of ‘regulatory capitalism’. On the third day a workshop entitled ‘Reputation and Regulation: Beyond public and private interest approaches’ was run by Professor Carpenter.

The main sub-themes of the conference were: the liberalisation, privatisation and regulation of network industries; delegation to regulatory agencies and the administration of regulation; better regulation and new regulatory mechanisms; globalisation and internationalisation; science, technology and regulation; regulation, the environment and sustainable development; compliance and enforcement; the role of law and courts; competition policy and corporate governance; intellectual property rights.

A summary of the event, together with the two keynote speeches is available at http://www.bath.ac.uk/cri/publications/conference_seminar.html.

The Group’s next biennial conference will take place in Utrecht, Netherlands in June 2008 details of which are on the next page.

In addition to the biennial group conferences, the Group has held sections within the ECPR’s general conference, in Pisa September 2007, and Budapest, September 2005, each of which attracted about 100 papers and participants from across the world.
Call for Papers

The Standing Group on Regulatory Governance of the ECPR is holding its Second Biennial Conference at Utrecht University in the Netherlands. The conference will be held at its international honors University College (www.ucu.uu.nl). Theme is:

‘(Re)Regulation in the Wake of Neoliberalism’
Consequences of Three Decades of Privatization and Market Liberalization
June 5 to 7, 2008

The Conference deals with liberalization and regulatory reforms of the last three decades and aims to bring together empirical studies of liberalization measures and their causes and consequences. What benefits resulted, for customers, workers, tax payers, or top managers? Were intended consequences realized? But also: at what costs? What unintended and unexpected consequences resulted from neoliberalism?

The focus is in particular on new forms of economic governance. What replaced government regulation through public ownership and public provision of goods and services? What came in the place of statutory state regulation? How are the risks on new or freer markets regulated? Has there been an increased role for regulation by other actors: semi-public regulatory agencies, courts (case law), commercial information providers, private hallmarks, certification and accreditation bodies, self-regulating associations, private corporations such as multinationals or insurance companies, and various public-private partnerships? What are their assets and liabilities? How successful have they been? But also: what new risks have they created? Who checks their power and holds them accountable?

Deadline for Submissions of panels and papers is: February 15th 2008
Deadline extended to March 1st 2008

Conference fees are 120 Euros (70 Euros for students and non-OECD-countries)
Please send abstract of 150 words to conference organizers at RegGovConf2008@uu.nl
Conference website: http://regulation.upf.edu

Academic Conveners:
Frans van Waarden, Youri Hildebrand & Kutsal Yesilkagit, Utrecht University
Markus Haverland, Erasmus University Rotterdam

Steering Committee

Ian Bartle, University of Bath, Britain  
Anthony Cheung, City University Hong Kong  
Joergen Christensen, University of Aarhus, Denmark  
Cary Coglanese, University of Pennsylvania, USA  
David Coen, University College London, Britain  
Per Laegreid, University of Bergen, Norway  

David Levi-Faur, Hebrew University, Israel  
Jacint Jordana, Univ Pompeu Fabra, Barcelona, Spain  
Tony Porter, McMaster University, Hamilton, Canada  
Claudio Radaelli, University of Exeter, Britain  
M. Ramesh, National University of Singapore  
Colin Scott, University College Dublin, Ireland
Giandomenico Majone Prize

The ECPR Standing Group on Regulatory Governance has created the Giandomenico Majone Prize for papers presented at its biennial conference. The prize is in honour of Giandomenico Majone for his outstanding contribution for the study of regulatory governance in the European Union and well beyond it.

This award recognizes outstanding research by scholars in early stages of her or his career in the field of regulatory governance from all relevant disciplinary backgrounds. The Prize is limited to scholars having completed their PhD no more than seven years before the deadline for submission.

The Prize Committee will invite nominations from the panel chairs and the organizing committee of the conference. Papers may also be submitted for consideration directly by authors as long as they are taking part in the conference. Papers must be in English and should be selected among those presented in the Standing Group Conference. Published or accepted papers are not eligible for the competition, and so are papers co-authored with senior scholars.

Decisions will be made public during the group biennial conference. Prize will be delivered during the Standing Group Conference. The Prize awards 250 Euros.

The standing group invites now submissions to the 2008 Giandomenico Majone Prize edition, which will be given during the Second Biennial Standing Group Conference, to be held at Utrecht University the 5-7 June 2008. The closing date for submissions and nominations is 15th May 2008.

The Prize Committee
Prof Claudio Radaelli (Exeter), Chair
Prof. Markus Haverland (Erasmus University)
Prof. Jarle Trondal (University of Oslo)
The Regulatory State in an Age of Governance: Soft Words and Big Sticks by Roger King, Palgrave, 2007, 228 pages.

Smadar Moshel, The Department of Political Science, The Hebrew University of Jerusalem, Email: smadar.moshel@mail.huji.ac.il

The Regulatory State in an Age of Governance, by Roger King from the Centre for Higher Education Research and Information, of the Open University in Britain, is an excellent introduction to the world of regulation. King discusses the regulatory state as it appears in theory in political science in general, and as a political phenomenon demonstrated in the United Kingdom. King raises a few claims regarding the characteristics of the regulatory state that he aims to establish throughout his book. First, he claims, the regulatory state is both freeing and constraining and sometimes it restrains in order to liberalize. With this, King objects those who see in the regulatory state only one of those elements. Second, according to King, the examination of the regulatory state aims to trace the ambiguities and hesitations that characterize its various expressions. By drawing on empirical case studies, King underlines, highlights gaps and questions the theory of regulation and the regulatory state. Third, King wishes to draw the reader’s attention to the influence of the global sphere on the regulatory state and to the multiple levels in which the regulatory state operates. Finally, King identifies four different spheres in which regulation appears: professional–state relations, professional-industry relations, supply and demand-side marketization and global and local interaction.

The book is divided into two main parts. The first part with five chapters discusses regulation from theoretical, historical, political, and institutional points of view. It starts with a chapter on regulation as a mode of governance. Throughout the chapter King presents more extended perceptions of regulation when he refers to it in the traditional definition – as government as well as governance which is presented as a form of broad social control and as a variety of normative ordering. In this sense, King describes state regulation as referring to governmental efforts to alter the socially-valued behaviour of people, including those funded or employed by government itself, by the issuing and enforcement of systems of rules, often through the establishment of an institutionally distinct regulatory body. King elaborates on the theory of regulation through a comparison with central political theories such as the Keynesian Welfare State model, the governance challenges, and classical state theories as pluralism and Marxism. This comparison helps to explain the main characteristics of the regulatory state: a) governs ‘at distance’, b) contains a growing disaggregated system of public agencies, including those for controlling newly-privatized national industries, c) extends legal and other regulatory standards in social and economic life to reduce risk, d) encourages the transformation of historic self-regulation in the professions and financial markets through the external imposition of formal standards and evaluation undertaken by statutory regulators, e) encourages the
growth of regulation ‘inside government’ by a growing army of inspectors, f) sets standards and opens up markets rather than seeking to control them, g) operates selective intervention to correct market failures rather than managing the whole economy, h) uses taxation to change the behaviour of players (rather than as a mean for redistribution) i) rules in order to protect the public interest.

In the second chapter King elaborates on key characteristics of the regulatory state by examining the case of the UK. Firstly, he claims that the British regulatory state is an interventionist model (as opposed to the idea that the regulatory state is necessarily a small state) and in this way he follows Moran’s interpretation of the high modernism of the British state. Secondly, he concludes that the UK regulatory state is not completely triumphant since it preserves the historical accretions built up from earlier, generally more ‘de-centred’ and self regulatory periods. Thirdly, he identifies the puzzle of the regulatory state as both liberalizing and controlling as a result of the political, social, and historical evolution of the state. Finally, in complex societies, wider social forms of control are inevitably involved in regulatory solutions by the state.

The third chapter deals with what defines and constitutes regulatory governance. King argues that regulatory governance is composed of webs of control of increasing complexity, reflexivity and plurality in the modern world. Each layer in regulatory regimes tends to regulate the other layers to a greater or lesser extent. King describes various forms of governance identified with the regulatory state: command and control, self regulation, responsive regulation, meta-regulation, new institutions, law and accountability.

Two more chapters deal with the extra-national dimensions of the regulatory state. Chapter 4 is devoted to defining and understanding the European Union as a regulatory state. Similarly to the regulatory state, the European regulatory state is characterized by multi-level and multi-dimensional governance, which reflects both in the various means of regulation such as treaties, rule making and institutions and in the different fields of regulation such as the economic and the social sphere. Chapter 5 deals with the ‘transnational’ regulatory state and discusses global regulatory structures. The transnational regulatory state takes shape in transnational institutions which reflect notions of universal citizenship, individual human rights and international criminal justice. Transnational regulation is associated with processes of negotiation, consultation, modelling and private standards-setting.

The second part of the book examines and demonstrates the theoretical discussion of the regulatory state through analysis of four different domains in the United Kingdom. King starts with presenting higher education as an example of the ‘Ambiguous Regulatory State’. The ambiguity rises from the hesitation regarding the appropriate balance between state direction and recognition of institutional autonomy. The regulatory mechanism reflects the tensions which characterize higher education as a market product on the one hand and as a public good on the other hand, upon which the state’s prosperity is dependent.
Next, King discusses the insuring regulatory state and the case study of healthcare. The term ‘Insuring Regulatory State’ refers to a process by which the state provides the funds from general taxation for the NHS (National Health Service) but secures the supply of its services from a range of providers, increasingly from the private sector. The regulation is reflected in the reforming of the NHS, in external standards setting and in applying a more marketized approach to healthcare organizations.

The domains of accountancy and law represent the private regulatory state. Accountancy, which was characterized in the past by professionalism and self-regulation, according to King is going through a transformation in which state direct forms of accountability replace previous forms. The state’s regulation is very much dependent and inspired by global accountancy standards that continue to rise.

The case of legal services is related, according to King, to the meso regulatory state. Regulation is found in the interlinked processes of law which created new fields for regulatory intervention. First, profession-state regulation such as the new Legal Services Board (LSB) which sets the professional bodies regulatory targets, monitors compliance and imposes financial penalties as necessary. Second, regulation is found in alternative profession-industry structures like the obligation of these institutes to appoint a Head of Legal Practice who has responsibility that the firm adheres to regulatory rules. Third, global-local structures like international firms, are regulated by local, European and international law. Thus, law and accountancy represent the ‘invasion’ of regulation into a field that is traditionally classified as private.

King raises five main suggestions regarding the desirable nature of future research on regulation. First, regulatory governance in an increasingly complex, and globalized world may best be studied using more inductive and grounded methodologies. Second, the role of ideas, policy learning and modelling – and processes of dialogue and deliberation – appears significant in the globalizing regulatory world. Third, we need to know more about the field of business regulation including the growth of transnational regulatory processes and how they play out in their impacts on national and local governing. Fourth, the current research lacks empirical analysis of profession-state relationships. Fifth, we have to pay more attention to another form of regulation the ‘meso-regulation’ in which government imposes a statutory regulatory body between itself and the historically self-regulating professional bodies to act as a strong influence on the latter. In general, King’s conclusions emphasize the need of more research dedicated both to the theory of regulation and to regulation as a political phenomenon.

King’s book is a very good overview on the topic of regulation. It is best suited as an introductory book to political science and public policy graduate students thanks to its thorough presentation of the current state of research on regulation, and the broad theoretical framework in which it locates regulation. The discussion regarding regulation in the United Kingdom successfully demonstrates the theory and contributes to the understanding of United Kingdom as a regulatory state.
Recently published books

This is a selection of recently published books on regulation and governance. The list is not comprehensive but we may aspire towards greater completeness in later issues. In each issue of the newsletter we aim to update the list with further recently published and forthcoming books.


Doern Bruce and Jeffrey Kinder, 2007, Strategic Science in the Public Interest: Canadian Government Laboratories and Science-based Agencies, Toronto: University of Toronto Press.


Feintuck Mike and Mike Varney, 2006, Media Regulation, Public Interest and the Law, Edinburgh University Press.


Quick Reiner, Stuart Turley, Marleen Willekens (eds.), 2007, Auditing, Trust and Governance:


Research Centres on Regulation

This is a first attempt to create a list of research centres on regulation. In future issues we will strive for more completeness, perhaps list the centres in subject order and/or geographic location and include a summary of their activities and weblinks. We welcome further information to add to the list and comments on the format.

• American Bar Foundation
• Centre for Analysis of Risk and Regulation
• Centre for Business Relationships, Accountability, Sustainability and Society (BRASS)
• Centre for Competition Policy (CCP) – University of East Anglia
• Centre for Environmental Risk - UEA
• Centre for Regulatory Governance (CRG), University of Exeter
• Centre for Risk and Insurance Studies
• The King’s Centre for Risk Management, King’s College London
• Centre for the Study of Environmental Change (CSEC) - University of Lancaster
• Centre for the Study of Regulated Industries (CRI) - University of Bath
• Center for the Study and Improvement of Regulation
• Center for Research in Regulated Industries at Rutgers University
• Centre on Regulation and Competition (CRC) - University of Manchester
• European Corporate Governance Institute
• Harvard Center for Risk Analysis
• Hugo Sinzheimer Institute on Labour and Law
• Institute for the Study of Genetics, Biorisks and Society - University of Nottingham
• Judge Institute of Management, University of Cambridge
• Max-Planck-Institut für Gesellschaftsforschung
• Monash Centre for Regulatory Studies
• PRAXIS Center for Policy Studies
• Public Utility Research Center, University of Florida
• Regulation Initiative - London Business School
• Regulatory Institutions Network (REGNET) - Australian National University
• Risk Management and Decision Process Center - Wharton School, University of Pennsylvania
• Risk, Science and Health Media Research Group
• STEPS - Social, Technological and Environmental Pathways to Sustainability
• The Center for the Study of Law and Society - University of California, Berkeley
• Warwick Business School - Centre for Management Under Regulation
• Wissenschaftskolleg zu Berlin - Institute for Advanced Study Berlin
Call for papers

We are pleased to announce the completion of the first volume of a new peer-reviewed, international, and interdisciplinary journal – *Regulation & Governance* – edited by John Braithwaite (Australian National University), Cary Coglianese (University of Pennsylvania) and David Levi-Faur (Corresponding editor) (Hebrew University).

We hope you will consider this journal as a potential outlet for some of your relevant research. Authors will benefit from the involvement of highly prestigious and professional referees, competitive turn-around to first editorial decision, a rapid speed to publication after acceptance, and wide promotion of the journal and its contents via regulation and governance networks and Wiley-Blackwell.

*Regulation & Governance* aims to serve as a leading platform for the study of regulation and governance by political scientists, lawyers, sociologists, historians, criminologists, psychologists, anthropologists, economists, and others. Published quarterly, Regulation & Governance provides a forum for open and critical scholarly dialogue for those working in a range of disciplines, using diverse methodologies, and concerning any aspect of regulation and governance. Through *Regulation & Governance*, we aim to advance discussions between various disciplines about regulation and governance, promote the development of new theoretical and empirical understanding, and serve the growing needs of practitioners for a useful academic reference.

We invite you to visit the journal’s website, submit a paper, and recommend the journal to a colleague. For further information about the journal, including submission instructions, please visit our website at: [http://www.blackwellpublishing.com/rego](http://www.blackwellpublishing.com/rego).
Manuscripts can be submitted online at: [http://mc.manuscriptcentral.com/reggov](http://mc.manuscriptcentral.com/reggov).