
Section 2: Theories and concepts of regulation

The Regulatory Institutions Network (RegNet) can fairly claim to be the home of much of the work on responsive regulation, with the first complete articulation of that theory to be found in Ayres and Braithwaite's 1992 book, *Responsive Regulation*. This section encapsulates many of the important developments since 1992. The ideal of responsiveness has proved remarkably fertile, allowing RegNet's research to grow in different directions and providing new contexts for empirical testing. The chapter by John Braithwaite identifies different types of responsiveness such as micro-responsiveness, networked/nodal responsiveness and meta-regulatory responsiveness. The chapter by Neil Gunningham and Darren Sinclair on smart regulation and the chapter on nodal governance by Cameron Holley and Clifford Shearing provide key examples of how RegNet has rethought regulatory theory.

The other chapters in this section deal with concepts that are central to both responsive regulation and regulatory theory more widely, and without which a volume on regulation would be incomplete. Peter Grabosky analyses the concept of meta-regulation, which lies at the very heart of reconceptualising the change in the distribution of regulatory tasks in the modern state. Risk is central to regulatory theory. Haines distinguishes three forms of risk—actuarial, sociocultural and political—and discusses how perceptions and calculations of each, either individually or in combination, influence the path of regulation. Michael W Dowdle traces the rise and crisis of accountability—a crisis that is being widened by globalisation as it creates different views of

duties of accountability and of who should bear those duties. Christine Parker and Vibeke Lehmann Nielsen's chapter, through a set of questions, provides the reader with a structured way of thinking about the information base required for an understanding of the compliance issues within a given sector of regulation. The final chapter in this section, by Miranda Forsyth, outlines the concept of legal pluralism, showing how its application to the case of traditional knowledge regulation in the Cook Islands is more likely to connect to the lived reality of social systems that produce such knowledge. The theme of traditional knowledge has also been the basis of collaboration between RegNet scholars and scholars from New Zealand (see the book by Peter Drahos and Susy Frankel, from Victoria University of Wellington, *Indigenous Peoples' Innovation*).

References

Ayres, I and Braithwaite, J 1992. *Responsive Regulation: Transcending the Deregulation Debate*. New York: Oxford University Press.

Drahos, P and Frankel, S (eds) 2012. *Indigenous Peoples' Innovation: IP Pathways to Development*. Canberra: ANU E Press.

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