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## Section 3:

# The state and regulatory transformations

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A significant part of RegNet's scholarship has focused on understanding the dynamics of change at different levels of regulation (global, regional, national, local) and how these levels are connected. The globalisation of regulation (see Braithwaite and Drahos 2000) has been a major project employing a distinctive micro–macro methodology aimed at understanding how individuals as actors use domain-based webs of influence to obtain change, including of a structural kind (on the micro–macro method, see Henne, Chapter 6, this volume).

The chapters in this section analyse different dimensions of the state and regulatory change. Peter Drahos synthesises the findings of *Global Business Regulation*, showing how even weak actors, if they understand the possibilities of global webs of coercion and dialogue, may entrench principles that pattern regulatory outcomes in ways that serve their interests. Scott focuses on the role of the state in regulation, tracing the changes in the state's oversight of rules and delivery of services and goods, as well as analysing the implications of responsive regulation for harnessing the regulatory capacity of non-state actors. David Levi-Faur's chapter shifts the perspective from the regulatory state to the rise of regulatory capitalism. Using the idea of constitutive rules, he presents an argument for why the long-term adaptability of capitalism may lie in regulation (on this theme, see also Drahos, Chapter 43, this volume). Terry Halliday takes on the neglected variable of time in regulatory

transformations, arguing that time may be a resource that favours the weak in regulatory contests. Christian Downie assesses the transformative possibilities of international negotiation for regulatory capitalism (webs of dialogue), focusing in particular on how prolonged negotiations may affect state preferences, melting frozen positions and thereby revealing possible paths to change. In the final chapter, Natasha Tusikov explains how non-state actors and states cooperate to forge transnational non-state regulatory regimes (new webs of influence and nodes of decision-making)—regimes that, unlike many treaties, are not a dead letter but operate to change behaviour.

## References

Braithwaite, J and Drahos, P 2000. *Global Business Regulation*. Cambridge: Cambridge University Press.

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edited by Peter Drahos, published 2017 by ANU Press, The Australian  
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