

Preface

This book grew out of an attempt to gain a better understanding of the conceptual basis of self-regulation. Like most books, the original intention evolved and was quickly replaced by a broader scope of investigation. The decision was to approach forms of ordering different from state regulation or non-state regulatory regimes. Then, it rapidly became evident that traditional methodological and analytical legal paths were not sufficient to explain the emergence and subsistence of forms of regulation that are either not originated in the state (non-state) or either that propose an alternative to state regulation. The optic had to be enlarged. The interplay of state regulation, non-state, and private regulation can best be studied when departing from public policy approaches. In comparison to other books on regulatory issues, this is also the most innovative element of this book. Public policy allows understanding the emergence of regulatory regimes and explaining how they coalesce and how they form a working system. As such, the book is a cross-disciplinary study.

Concentrating on structural issues about regulatory regimes, the book draws extensively on examples from the financial sector. It reflects my background in that sector. At the same time, it is a predestined sector for the purpose of this book, because not least following the 2007–2009 financial crisis one witnesses the emergence of a number of institutional arrangements and regulatory regimes both at the national and at the international or global levels.

The ideas underlying this book have been discussed in a range of fora. I am grateful to all those who have contributed in a variety of ways to the completion of this book and who have made comments and suggestions at various points of the development of the book. I would like to mention in particular:

A stay at the ESRC Centre for the Analysis of Risk and Regulation (CARR) of the London School and Economics and Political Science, that proved to be very valuable. I would like to thank Bridget Hutter, Michael Power, and Julia Black.

The Collegium Budapest Institute for Advanced Study offered an enriching research atmosphere and was a source of inspiration. The exchanges with

colleagues and fellows were motivating. I am particularly grateful to Imre Kondor and Philippe C. Schmitter for their support and constructive discussions.

My participation in the Eurocores research program on The Evolution of Cooperation and Trading of the European Science Foundation (TECT), in particular in the group focusing on the Dynamic Complexity of Cooperation-Based Self-Organizing Commercial Networks in the First Global Age (1400–1800) proved to be fruitful as well. I am very indebted to Jack Owen and Rüdiger Klein for inviting me to participate in that multi-disciplinary research project for it gave me important insights to develop the concept of my own book.

I would also like to thank especially the reviewers of my “habilitation thesis” at the University of St.Gallen, Michael Blair QC, Peter Nobel and Rolf H. Weber.

This study was supported by a research grant of the Swiss National Science Foundation, which I thankfully acknowledge at this place.

Last but not least, I would like to express my appreciation and thanks to Mark Kyburz for his language proofreading of the manuscript, to Lukas Jaroch for his help along specific legal issues, Sadri Saieb for his very efficient assistance in providing research material, Anita Stauffacher for technical support, to Anke Seyfried for her professional advice, and finally to Gnanamanni Umamaheswari for overseeing the production of the book with care.

July 2010

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<http://www.springer.com/978-3-642-14973-3>

Non-State Regulatory Regimes
Understanding Institutional Transformation
Senn, M.
2011, XIX, 318 p., Hardcover
ISBN: 978-3-642-14973-3