

**Программа учебной дисциплины  
"Regulation and reform: analysis and policy"**

Утверждена  
Академическим советом ООП  
№1 dated 27.06.2017

Author	Victor Albert
Number of credits	4
Contact hours	40
Self-study hours	112
Курс	2
Educational format	Without use of online course

**I. Aim, Results of Mastering the Discipline and Prerequisites**

The goal of the course « Regulation and Reform: Analysis and Policy » is to teach students to:

- **Understand** how regulation has changed over time -- particularly in the European context -- as well as the theories, ideas, and related socio-political processes that have undergirded that change.
- **Explain** some of the key justifications behind new forms of regulation, its historical trajectory in the EU, and outline several key cases of regulatory reform and their effects.
- **Critically engage** with the regulation literature and the arguments for and against particular kinds of regulatory reform; also be able to critically assess the language and ideology of regulation and its relationship to politics.
- **Make** your own arguments about regulation that draw on particular cases of regulatory reform, or changes in regulatory settings, and present these arguments in the proper academic form.
- **Learn** part of the empirical and historical literature on regulatory reform, and participate in class discussions relating to it.

This course is a professional course taught to the Master's students of Public Policy. This is an optional course that requires prior knowledge in political science and/or related disciplines.

The teacher of the course will ascertain the current level of knowledge and existing conceptual frameworks of the students at the beginning of the course, and be responsive to the class's current level of knowledge and understanding.

The following knowledge and competences are needed to study the discipline

- A basic history of politics and policy reform over the past 40 years, and in particular the changing fortunes of regulation (or the move from an administrative state, to deregulation, to smarter regulation, and a renewed interest in re-regulation in the wake of the 2008 Global Financial Crisis).
- Some knowledge of regulation and governance
- The experience of – or the ability to – learn both independently and as part of a group

By the end of the course, the students are expected to:

**Know:**

- coherent definition of regulation,
- key arguments in favor of particular kinds of regulatory reform
- broad outline of the history of regulatory reforms

**Be able to:**

- analyse particular instances of regulatory reform by critically examining some of the technical justifications of these reforms, and by measuring the theory against the practice
- locate the knowledge of regulation gained in this course within broader understandings of policy and governance
- critically reflect on the tensions and 'pros and cons' that exist in any regulatory reform measure
- critically reflect on limitations that are provided through the perspectives provided in the literature

**Have skills:**

- to critically analyze the regulatory reform measures;
- to efficiently contribute to the policy debate on regulatory issues.

Students are expected to:

- To give a coherent definition of regulation, as well as key arguments in favor of particular kinds of regulatory reform, and to employ these arguments and definitions in academic discussions and writing.
- To provide a broad outline of the history of regulatory reform, with particular reference to the European context, and some of the socio-political changes of which regulatory reform forms a part.
- To analyse particular instances of regulatory reform by critically examining some of the technical justifications of these reforms, and by measuring the theory against the practice.
- To locate the knowledge of regulation gained in this course within broader understandings of policy and governance acquired in other subjects in the department, and associated events, public talks and associated literature.
- To critically reflect on the tensions and 'pros and cons' that exist in any regulatory reform measure, and the limitations that are provided through the perspectives provided in the literature.

This course is an elective one within the Master programme, taught in the first semester of the second year of 'Political Analysis and Public Policy'. It requires the prior knowledge that students will have acquired during the foundational courses of the first year of the programme (or equivalent levels of prior knowledge in the case of visiting students) in political science and human rights.

This course is complementary to a number of other courses in the programme, and consolidates and builds upon the knowledge and skills developed in these course, in particular

- Foundations of Public Policy
- Global Actors in Public Policy
- Markets, Regulation and Europeanization

## II. Content of the Course

### **SESSION ONE: Introduction to Regulation and the Regulatory State**

In this week we introduce the notion of regulation and the so-called regulatory state, differentiating it from previous forms of state rule. Students will gain a better understanding of the motives behind the emergence of the regulatory state, its consequences and tensions. There will also be an overview of some of the key themes of the course, including better regulation, impact assessment, environmental regulation, and so on.

### **SESSION TWO: Deregulation and its Paradoxes and Critiques**

In this topic we explore deregulation - the cutting of 'red tape' and the reduction of regulatory interference in the marketplace and civic life. In economics deregulation is held, at least according to (neo-)liberal orthodoxy, to encourage economic activity and growth by getting out of the way of commercial activities. Deregulation is often coupled with privatization -- that is, the sale of public utilities and services, such as electricity and telecommunications. However, the promise of deregulation is not always realized, and in any case regulation has importance for vital aspects of modern life. In this topic we examine some of the paradoxes and limitations of deregulation.

### **SESSION THREE: Smarter or Better regulation: justifications and theories.**

Better regulation emerged in the United Kingdom in the aftermath of the deregulation reforms introduced by Margaret Thatcher, in particular by the New Labour governments. Better regulation maintained the interest in minimising interference in the economic sphere, while also producing desirable results. Rather than 'lesser' or 'more', the focus was on the outcomes of regulation. Better (or smarter) regulation thereafter gained popularity in the European Union, as member states sought to balance the need for regulation with the aim of economic growth. In this topic we introduce the notion of Better Regulation and map out it has developed since, and some of the problems it has encountered. We also examine an article which considers whether it is in fact better for business. The interest in Better Regulation is continued in the next two topics.

### **SESSION FOUR: Assessing the Impact of Better Regulation in Europe.**

Continuing the theme of Better Regulation, in this topic we examine one of the key instruments in the better regulation agenda: impact assessment. Drawing on work that considers its application in the European Union, we examine what impact assessment seeks to achieve, its design, and also consider what it does achieve in the European setting.

### **SESSION FIVE: Better Environmental Regulation in the EU.**

Here we examine how the Better Regulation agenda has been applied in environmental regulation in the EU. The environment has, provided anthropogenic climate change, become a key policy and regulatory concern over the past 20 years and looks to remain so into the future. In this topic we examine some analytical policy writing on environmental regulation in the EU, as well as an article that looks explicitly at chemicals policy. This engagement with environmental regulation enables us to consider some of the concrete tensions that are faced in the environmental regulatory space in the EU, as well as the concern that Better Regulation could prejudice the environment.

### **SESSION SIX: Regulation Beyond the State.**

The current emphasis on 'governance' rather than government reflects the widespread belief that in the modern world there is a plurality of actors that contribute to the business of managing economic and political life. This case has been made on analytic grounds -- that is, an observation that what were previously considered the responsibilities of the state are now shared by a number of other actors. But it is also made on normative grounds -- that is, that the

diversification of government responsibilities is desirable given the complexities and ever-changing conditions of modern economic and political life. Similarly, regulation is often conceived as co-managed by other economic and administrative players; that it has become 'decentered'. In this topic we examine some of the ways that regulation is shared among other actors and the emergence of a 'post-regulatory' state.

### **SESSION SEVEN: Regulation from below – cases of participatory policy-making.**

In the previous topic we examine some arguments behind providing non-state actors with regulatory powers (or allowing some form of self-regulation). In this topic, we examine the possibility and the problems with extending regulatory powers to the citizenry. Citizen participation (and allied notions participatory democracy and governance) have generated enormous interest in recent years as a way of improving governance processes - of making governments more responsive and accountable. Here we examine some ways that citizens can intervene in the business of regulation - some of the promises and problems that this creates.

### **SESSION EIGHT: Regulation after the Global Financial Crisis.**

The global economy has still arguably failed to shake off the aftereffects of the 2008 Global Financial Crisis. A lack of financial regulations is often identified as one of the causes of the crisis - an interpretation that has renewed interest in regulation in general, and financial regulation in particular. In this final topic we consider some of the consequences of the crisis for regulation - what we have learnt from the crisis, and what are some of the challenges this poses for regulation into the future.

## **III. Grading**

The final grade is composed of a cumulative grade and the exam. The cumulative and final grades are composed according to the following formulas. O stands for "grade". It is divided into accumulated and final grades which are described by their own formulas.

Oaccumulated formula is:

$$O_{\text{accumulated}} = O_{\text{current control}} = 0.3 * O_{\text{participation}} + 0.7 * O_{\text{essay}}$$

where  $O_{\text{participation}}$  is the grade for participation during the classes;  $O_{\text{essay}}$  is the grade for the independent work (essay).

Ofinal formula is:

$$O_{\text{final}} = 0,7 * O_{\text{accumulated}} + 0,3 * O_{\text{final exam}}$$

where  $O_{\text{final exam}}$  is constituted by the grade for presentation and written report on research project.

Current and final forms of control are graded on a 10- point scale with rounding of the final grade. Only the final grade goes into the Master Degree certificate.

## **IV. Grading Tools**

**Participation: 20% of final grade**

**Essay: independent work of 10 pages, 50% of final grade**

**Examined presentation: 30% of final grade**

The sum of the grades for the attendance, essay, the final presentation (and grades associated with preparing and presenting it) and final examination will be translated into a numerical grade.

**Participation.** The students are supposed to attend the classes and actively participate in the class activities. This will include a short introduction/summary for the class of one of the texts set in the course guide.

**Essay.** Students will prepare independent work, submitted on November 4. The essay will consist of ten pages. The teacher will assess the student's ability to knowledgeably use the core theories and concepts of the course, the ability to apply them appropriately to relevant case studies, the quality of presentation – which must consist of a proper essay structure and referencing system – and the soundness and criticality of the argumentative logic. Extra marks are given for papers that substantively engage with literature beyond those set in the course guide.

**Final Exam.** The final exam will be held in a dialogical form that will consist of a presentation and a related discussion related to a topic selected by a student and endorsed by the course lecturer before the exam. Each presentation (10 minutes) reports on and examines an instance of regulatory reform that employs the ideas, theories and policies examined in the course. It should present the case, show how policies were shaped by particular regulatory ideas and strategies and then critically evaluate the effects of the regulatory reform. In the course of the exam the teacher evaluates the structure of presentation, the student's knowledge of core theories and concepts of the course and the ability to apply these theoretical concepts appropriately to relevant case studies, taking into consideration how the student treats the subject: through demonstrating an ability to think critically and develop appropriate and original arguments. The teacher may ask additional questions to evaluate the understanding and depth of the argument that is presented.

## V. Sources

### 5.1. Main Literature

1. DRAHOS, P. (Ed.). (2017). *Regulatory Theory: Foundations and applications*. Acton ACT, Australia: ANU Press. Retrieved from <http://www.jstor.org/stable/j.ctt1q1crtm>
2. Majone, G. (1997). From the Positive to the Regulatory State: Causes and Consequences of Changes in the Mode of Governance. *Journal of Public Policy*, 17(2), 139-167. Retrieved from <http://www.jstor.org/stable/4007608>
3. Lane, Jan-Erik. *The Public Sector : Concepts, Models and Approaches*, SAGE Publications, 2000. ProQuest Ebook Central, <https://ebookcentral.proquest.com/lib/hselibrary-ebooks/detail.action?docID=537809>.

### 5.2. Additional Literature

1. *Regulating Europe*, edited by Giandomenico Majone, Routledge, 1996. ProQuest Ebook Central, <https://ebookcentral.proquest.com/lib/hselibrary-ebooks/detail.action?docID=166906>.
2. Moran, Michael. *The British Regulatory State : High Modernism and Hyper-Innovation*, Oxford University Press USA - OSO, 2003. ProQuest Ebook Central, <https://ebookcentral.proquest.com/lib/hselibrary-ebooks/detail.action?docID=3052480>.
3. Croley, Steven P., and Steven P. P. Croley. *Regulation and Public Interests : The Possibility of Good Regulatory Government*, Princeton University Press, 2007. ProQuest Ebook Central, <https://ebookcentral.proquest.com/lib/hselibrary-ebooks/detail.action?docID=445470>.

4. Veggeland, Noralv. Innovative Regulatory Approaches Coping with Scandinavian and European Union Policies, Nova Science Publishers, Incorporated, 2010. ProQuest Ebook Central, <https://ebookcentral.proquest.com/lib/hselibrary-ebooks/detail.action?docID=3019212>.

### 5.3. Software

№	Name	Access conditions
1.	MicrosoftWindows 7 Professional RUS MicrosoftWindows 10 MicrosoftWindows 8.1 Professional RUS	<i>From the university's internal network (contract)</i>
2.	Microsoft Office Professional Plus 2010	<i>From the university's internal network (contract)</i>

### 5.4. Professional databases and reference systems. Internet resources (electronic educational resources)

№	Name	Access conditions
<i>Professional databases and reference systems</i>		
1.	Consultant Plus	<i>From the university's internal network (contract)</i>
2.	URAIT Electronic library system	URL: <a href="https://biblio-online.ru/">https://biblio-online.ru/</a>
<i>Internet resources (electronic educational resources)</i>		
1.	Open Education	URL: <a href="https://openedu.ru/">https://openedu.ru/</a>

### 5.5. Material and technical support

Classrooms for lectures on the discipline provide for the use and demonstration of thematic illustrations corresponding to the program of the discipline, consisting of:

- PC with Internet access (operating system, office software, antivirus software);
- multimedia projector with remote control.