Governing through Regulation
Public Policy, Regulation and the Law

Eric L. Windholz
Contents

List of Figures and Tables ix
Preface and Acknowledgements x

PART I
Introduction 1

1 Introduction 3
2 The Rise of Regulatory Governance 20

PART II
Regulatory Theory, Concepts and Constructs 33

3 Theories of Regulation 35
4 Regulatory Space and Regulatory Regimes 69
5 Policy Processes and the Regulatory Policy Cycle 79
6 Bad, Better and Legitimate Regulation 100

PART III
Regulatory Design and Practice 127

7 Define: Agenda-Setting, Issue Diagnosis and Objective Setting 129
8 Design: Regime Variables; Option Generation 153
9 Decide: Regime Assessment and Selection 207
10 Implement: Regime Deployment, Application and Execution 220
11 Evaluate: Assessment of Regulatory Policy and Regime 253
PART IV
Conclusion 265

12 The Future of Regulatory Governance 267
13 Conclusion 275

Index 283