# THE POLITICS OF REGULATORY REFORM

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HE HISTORY of science abounds with examples of practical needs stimulating theoretical developments: navigational problems and gravity; schizophrenia and biomedical research; World War II and the harnessing of atomic power. In politics, President Nixon's mode of governance led to a rethinking of our discipline's long-time insistence that our system required a strong presidency and that the public interest was better served by the power of the presidency than by congressional logrolling. Now, legislative resurgence is celebrated.

In similar fashion, the attention to deregulation inaugurated under President Carter and pushed with rhetorical fervor by President Reagan may have as one of its more positive unintended consequences a resurgence of political science interest in the theory of regulation, a field largely dormant after what is known as "capture theory" was developed in the fifties. Some recent studies provide evidence that such reconsideration of the field of regulation may already be underway, although so far more in the writings of economists than of political scientists. It, therefore may be time for a state-of-the-art piece on the study of regulation, emphasizing deregulation as far as the literature permits. This will cover approaches and methods; substantive directions; the contributions of particular books for teaching and research; and, of course, further research needs and opportunities. The overall perspective taken is not economic, not legal, but political; the intent is to "see what's there," not to impose a thesis of the reviewer's devising.

#### DEREGULATION

Looking first at materials directly focused on deregulation, we find mostly an econo-legal literature. One of the latest broad-scope works is Robert W. Poole, Jr.'s Instead of Regulation (1982). An edited volume covering energy, transportation, securities markets, pollution, product safety and health, its contributors (economists, attorneys, and one public policy person teaching in a political science department) share a common theme and goal. The theme is that present directive (so-called "command and control") regulation can be greatly reduced by substituting more information for consumers and strengthened liability laws. The goal is to return substantial decision-making power to individuals, to recognize what Poole terms "the primacy of individual choice . . . and full responsibility for one's actions" (p. x). There is a strongly ideological tone to many of the essays, with market forces and consumer preferences given the benefit of the doubt generally whenever they are seen as in conflict with the alternative of governmental requirements. Clarkson and Muris, for example, in their chapter entitled "Letting competition serve consumers," argue against "coercing better quality" and contend that consumers

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