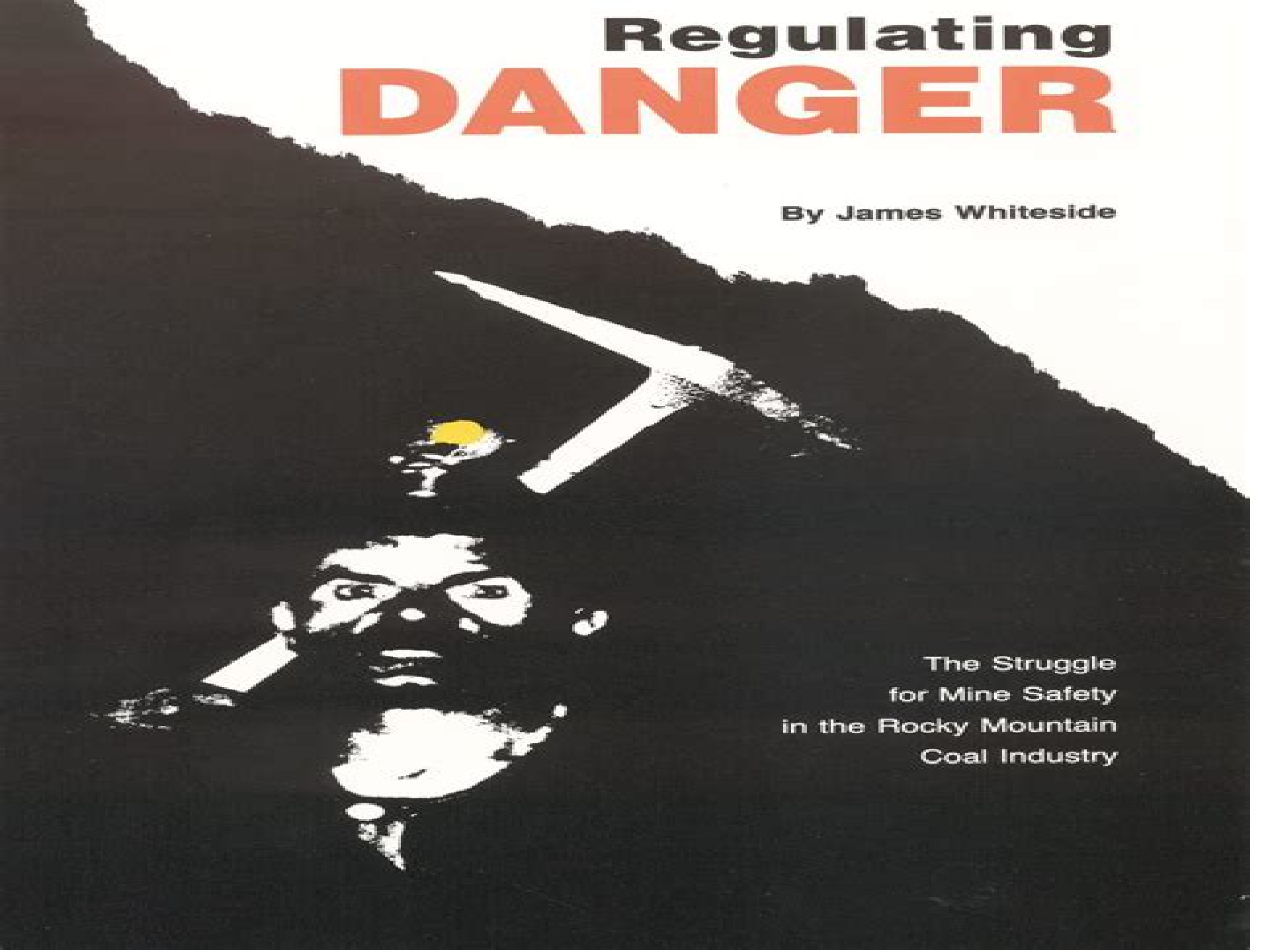


Regulating **DANGER**

By James Whiteside



The Struggle
for Mine Safety
in the Rocky Mountain
Coal Industry

Regulating Danger

Maria Weimer



Regulating Danger:

Regulating Danger James Whiteside, 1990-01-01 From the 1880s to the 1980s more than eight thousand workers died in the coal mines of the Rocky Mountain states Sometimes they died by the dozens in fiery explosions but more often they died alone crushed by collapsing roofs or runaway mine cars Many old timers in coal mining communities and even some historians have blamed the high fatality rate on ruthless coal barons exploiting miners in the single minded pursuit of profit The coal industry preferred to blame careless miners James Whiteside looks beyond those charges in seeking to explain why the western coal mines were and to some degree still are dangerous and why territorial state and federal laws failed for so long to make them safer *Regulating Danger* is the first extended study of the coal mining industry in Colorado New Mexico Utah Wyoming and Montana It exceeds the scope of traditional labor history in focusing on working conditions and the problems of workers instead of unions and strikes After examining the inherent physical dangers of the work Whiteside shows how the interplay of economic social and technological forces created an environment of death in the western coal mines He goes on to discuss evolving industrial and political attitudes toward issues of responsibility for mine safety and government regulation and the fundamental changes in the industry that brought about safer working conditions

Regulating Risk Rebecca L. Perlman, 2023-03-30 When governments impose stringent regulations that impede domestic competition and international trade should we conclude that this is a deliberate attempt to protect industry or an honest effort to protect the population *Regulating Risk* offers a third possibility that these regulations reflect producers ability to exploit private information Combining extensive data and qualitative evidence from the pesticide pharmaceutical and chemical sectors the book demonstrates how companies have exploited product safety information to win stricter standards on less profitable products for which they offer a more profitable alternative Companies have additionally supported regulatory institutions that while intended to protect the public also help companies use information to eliminate less profitable products more systematically creating barriers to commerce that disproportionately disadvantage developing countries These dynamics play out not only domestically but also internationally under organizations charged with providing objective regulatory recommendations The result has been the global legitimization of biased regulatory rules **Governing**

Risks in Modern Britain Tom Crook, Mike Esbester, 2016-04-26 For more than 200 years everyday life in Britain has been beset by a variety of dangers from the mundane to the life threatening *Governing Risks in Modern Britain* focuses on the steps taken to manage these dangers and to prevent accidents since approximately 1800 It brings together cutting edge research to help us understand the multiple and contested ways in which dangers have been governed It demonstrates that the category of risk broadly defined provides a new means of historicising some key developments in British society Chapters explore road safety and policing environmental and technological dangers and occupational health and safety The book thus brings together practices and ideas previously treated in isolation situating them in a common context of risk related debates

dilemmas and difficulties Doing so it argues advances our understanding of how modern British society has been governed and helps to set our risk obsessed present in some much needed historical perspective Regulation and Risk Bridget M. Hutter,2001 This study examines the impact of a system of enforced self regulation on the corporate life of British Railways The book raises important questions about how workplace risks are managed and what influence the law can have

Regulating Risks in the European Union Maria Weimer,Anniek de Ruijter,2017-10-05 A growing body of EU law and regulation is preoccupied with the protection of EU citizens from health and environmental risks Which chemicals are safe and should be allowed on the market How should the EU respond to public health emergencies such as Ebola and other infectious diseases Regulatory responses to these questions confront deep uncertainty limited knowledge and societal contestation In a time where the use of scientific expertise in EU policy making is particularly contested this book offers a timely contribution to both the academic and policy debate on the role of specialised expertise in EU public decision making on risk and technology as well as on its intertwinement with executive power It draws on insights from law governance political sciences and science and technology studies bringing together leading scholars in this field Contributions are drawn together by a shared theoretical perspective namely by their use of co production as an analytical lens to study the intricate interplay between techno scientific expertise and EU executive power By so doing this collection produces highly original insights into the development of the EU administrative state as well as into the role of regulatory science in its construction This book will be useful to scholars practitioners and policy makers working on risk regulation and the role of expertise in public decision making Risk Assessment and Risk Management R E Hester,R M Harrison,2007-10-31 Risk assessment is considered by many analysts to be an objective scientific tool It is considered to be variously influenced by broader issues which in turn have important practical implications both for risk assessors and decision makers Risk Assessment and Risk Management examines a range of practical applications of risk assessment methods and risk management procedures in the broad context of environmental science and technology Written by acknowledged experts in the field the articles cover a variety of areas with reference to subjects as diverse as BSE the use of risk assessment in government using computer modelling as an aid to risk assessment in the case of accidental contamination of rivers and estuaries quantitative cancer risk assessment related to carcinogens in the environment landfilling of household wastes environmental risk assessment and management of chemicals and aquatic risk assessment and management of pesticides This book provides a detailed and wide ranging review of the many aspects of risk assessment and risk management which have excited so much debate and controversy in recent times It will be essential reading for all those involved in the assessment and management of risk particularly in the context of environmental science Danger Signals Triggering Immune Response and Inflammation Abdulraouf Ramadan,Walter G. Land,Sophie Paczesny,2017-09-18 The immune system detects danger through a series of what we call pathogen associated molecular patterns PAMPs or damage associated molecular pattern molecules DAMPs

working in concert with both positive and negative signals derived from other tissues PAMPs are molecules associated with groups of pathogens that are small molecular motifs conserved within a class of microbes They are recognized by Toll like receptors TLRs and other pattern recognition receptors A vast array of different types of molecules can serve as PAMPs including glycans and glycoconjugates Bacterial lipopolysaccharides LPSs endotoxins found on the cell membranes of Gram negative bacteria are considered to be the prototypical class of PAMPs LPSs are specifically recognized by TLR4 a recognition receptor of the innate immune system Other PAMPs include bacterial flagellin recognized by TLR5 lipoteichoic acid from Gram positive bacteria peptidoglycan and nucleic acid variants normally associated with viruses such as double stranded RNA recognized by TLR3 or unmethylated CpG motifs recognized by TLR9 DAMPs also known as alarmins are molecules released by stressed cells undergoing necrosis that act as endogenous danger signals to promote and exacerbate the immune and inflammatory response DAMPs vary greatly depending on the type of cell epithelial mesenchymal etc and injured tissue Some endogenous danger signals include heat shock proteins HMGB1 high mobility group box 1 reactive oxygen intermediates extracellular matrix breakdown products such as hyaluronan fragments neuromediators and cytokines like the interferons IFNs Non protein DAMPs include ATP uric acid heparin sulfate and DNA Furthermore accumulating evidence supports correlation between alarmins and changes in the microbiome Increased serum or plasma levels of these DAMPs have been associated with many inflammatory diseases including gastric and intestinal inflammatory diseases graft versus host disease GVHD sepsis and multiple organ failure allergies particularly in the lungs atherosclerosis age associated insulin resistance arthritis lupus neuro inflammation degeneration and more recently in tumors which is particularly interesting with the emergence of immunotherapies Therapeutic strategies are being developed to modulate the expression of these DAMPs for the treatment of these diseases A vast number of reviews have already been published in this area thus in an effort to not duplicate what has already been written we will focus on recent discoveries particularly in disease models that are epidemic in Western society intestinal chronic inflammatory diseases including GVHD and its relationship with the microbiome chronic infectious diseases allergies autoimmune diseases neuroinflammation and cancers We will also focus on the basic cellular roles of macrophages T cells and B cells This research topic brings together sixteen articles that provide novel insights into the mechanisms of action of DAMPS alarmins and their regulation and subsequent immunologically driven responses

RISK21 - Coping with Risks due to Natural Hazards in the 21st Century Walter J. Ammann, Stefanie Dannenmann, Laurent Vulliet, 2006-08-17 Over the last two decades there has been an increase in the number of natural hazards which have culminated in catastrophic consequences severely impacting on people and livelihoods In response to this escalation the Swiss Natural Hazards Competence Centre CENAT organized a workshop entitled RISK21 at the Centro Stefano Franscini Mon **Transnational Narratives and Regulation of GMO Risks** Giulia Claudia Leonelli, 2021-11-04 This book provides an innovative insight into the regulatory conundrum of genetically modified organisms GMOs deploying

transnational legal analysis as a methodological framework to explore the most controversial area of risk governance The book deconstructs hegemonic and counter hegemonic transnational narratives on the governance of GMO risks cutting across US law EU law the WTO Agreement on Sanitary and Phytosanitary Measures and hybrid standard setting regimes Should uncertain risks be run unless adverse effects have been conclusively established and should regulators only act where this is cost benefit effective Should risk managers make a convincing case that a product or process is safe enough for the relevant uncertain risks to be socially acceptable How can intractable transnational regulatory conflicts be solved The book complements a close analysis of regulatory frameworks and case law with a more encompassing perspective on the political socio economic and distributional implications of different approaches to the regulation of health and environmental risks at times of globalisation The GMO deadlock thus becomes a lens through which to investigate the underlying value systems goals and impacts of transnational discourses on risk governance Against this backdrop the normative strand of analysis points to the limited ability of science and procedural deliberation to generate authentic agreement and to identify normatively legitimate solutions in the absence of pre existing shared perspectives

Risk Regulation, Science, and Interests in Transatlantic Trade Conflicts D. Hornsby, 2013-10-16 When regions like Canada the US and the EU have disagreed over the legitimacy of risk perceptions they have placed science at the centre of international trade conflict By looking across cases disputed and informally resolved David Hornsby offers to deepen understanding of factors involved in risk based trade conflict

Risk Regulation at Risk Sidney Shapiro, Robert Glicksman, 2002-09-25 In the 1960s and 1970s Congress enacted a vast body of legislation to protect the environment and individual health and safety Collectively this legislation is known as risk regulation because it addresses the risk of harm that technology creates for individuals and the environment In the last two decades this legislation has come under increasing attack by critics who employ utilitarian philosophy and cost benefit analysis The defenders of this body of risk regulation by contrast have lacked a similar unifying theory In this book the authors propose that the American tradition of philosophical pragmatism fills this vacuum They argue that pragmatism offers a better method for conceiving of and implementing risk regulation than the economic paradigm favored by its critics While pragmatism offers a methodology in support of risk regulation as it was originally conceived it also offers a perspective from which this legislation can be held up to critical appraisal The authors employ pragmatism to support risk regulation but pragmatism also leads them to agree with some of the criticisms against it and even to level new criticisms of their own In the end the authors reject the picture painted by risk regulation s critics of widely excessive and irrational regulation but the pragmatic perspective also leads them to propose a number of recommendations for useful reforms to risk regulation

Risk Regulation in the Internal Market Maria Weimer, 2019-03-13 This book offers a topical inquiry into the legal and political limits of EU regulation in the field of risk and new technologies surrounded by techno scientific complexity uncertainty and societal contestation It uses agricultural biotechnology as a paradigmatic

example to illustrate the complex intertwinement between environmental public health economic and social concerns in risk regulation Weimer analyses the drawbacks of the EU approach to agricultural biotechnology showing that its reductionism i e the narrow understanding of GMO risks as well as the exclusion of broader societal concerns related to environmental and social sustainability has undermined both the legitimacy and effectiveness of EU regulation in this area Resistance to this approach however has also triggered legal innovations prompting us to re think EU internal market law including the way in which it manages the tensions between unity and diversity and between social and economic concerns This text offers fresh and original insights into how far the EU can go in harmonizing regulatory approaches to risk At the same time it proposes new ways of re thinking EU risk regulation to make it more responsive to different perspectives on risk and technology A unique feature of this book is that it contributes to various strains of scholarship including risk regulation internal market law public administration and studies of governance and regulation as well as connecting these themes to broader debates about the legitimacy of European integration and new ways of differentiated integration As a result it assists in re imagining the EU internal market and its regulation as a site of diversity

Risk Regulation and Administrative

Constitutionalism Elizabeth Fisher, 2007-07-30 Over the last decade the regulatory evaluation of environmental and public health risks has been one of the most legally controversial areas of contemporary government activity Much of that debate has been understood as a conflict between those promoting scientific approaches to risk evaluation and those promoting democratic approaches This characterization of disputes has ignored the central roles of public administration and law in technological risk evaluation This is problematic because as shown in this book legal disputes over risk evaluation are disputes over administrative constitutionalism in that they are disputes over what role law should play in constituting and limiting the power of administrative risk regulators This is shown by five case studies taken from five different legal cultures an analysis of the bifurcated role of the Southwood Working Party in the UK BSE crisis the development of doctrines in relation to judicial review of risk evaluation in the US in the 1970s the interpretation of the precautionary principle by environmental courts and generalist tribunals carrying out merits review in Australia the interpretation of the WTO Sanitary and Phytosanitary Agreement as part of the WTO dispute settlement process and the interpretation of the precautionary principle in the EU context A strong argument is thus made for re orienting the focus of scholarship in this area

Managing Regulation Martin Lodge, Kai Wegrich, 2012-06-29 Regulation has become a central aspect of contemporary governance as a result of public management reforms over recent decades Yet for all its ubiquity the ideas of regulation have become increasingly contested Key failures in the regulation of areas such as financial markets nuclear power and food safety have revealed limitations in strategies which were once praised as offering superior problem solving solutions This major new text introduces the issues which affect the design and operation of regulatory regimes and assesses the different regulatory strategies which can be used to deal with real world challenges In doing so it examines the most important areas

in regulatory policy and reform including rule making and enforcement better regulation infrastructure regulation international regulation and risk regulation Throughout the book Martin Lodge and Kai Wegrich discuss a range of hypothetical and real world examples to illustrate key issues options and trade offs and to encourage readers to think critically and creatively about the regulatory options which are available Drawing on the most up to date research this text provides a clear and useful toolkit for thinking analytically about regulation *Governing Public Health* Mark L Flear, 2015-07-30 This book contributes towards EU studies and the growing discourse on law and public health It uses the EU's governance of public health as a lens through which to explore questions of legal competence and its development through policy and concrete techniques processes and practices risk and security human rights and bioethics accountability and legitimacy democracy and citizenship and the nature essence and future trajectory of the European integration project These issues are explored first by situating the EU's public health strategy within the overarching architecture of governance and subsequently by examining its operationalisation in relation to the key public health problems of cancer HIV AIDS and pandemic planning The book argues that the centrality and valorisation of scientific and technical knowledge and expertise in the EU's risk based governance means that citizen participation in decision making is largely marginalised and underdeveloped and that this must change if public health and the quality accountability and legitimacy of EU governance and its regulation are to be improved Subsequently the book goes on to argue that the legitimating discourses of ethics and human rights and the developing notion of EU supra stewardship responsibility can help to highlight the normative dimensions of governance and its interventions in public health These discourses and dimensions provide openings and possibilities for citizens to power technologies of participation and contribute important supplementary knowledge to decision making Should Increased Regulation of Bank Risk-Taking Come from Regulators Or from the Market? Robert L. Hetzel, 2010 The heavy losses in bank asset portfolios do not reflect an inherent failure of markets to monitor risk adequately but rather the perverse incentives of the financial safety net to excessive risk taking The unsustainable rise in house prices and their subsequent sharp decline derived from the combination of a public policy to expand home ownership to unrealistic levels and from a financial safety net that encouraged excessive risk taking by banks Charts and tables *Understanding Regulation* Robert Baldwin, Martin Cave, Martin Lodge, 2012 An introduction to the practical and theoretical issues that are central to the study of regulation which a particular focus on contested areas and how they are dealt with Regulating (From) the Inside Iris H-Y Chiu, 2015-11-05 This book examines a key aspect of the post financial crisis reform package in the EU and UK the ratcheting up of internal control in banks and financial institutions The legal framework for internal controls is an important part of prudential regulation and internal control also constitutes a form of internal gate keeping for financial firms so that compliance with laws and regulations can be secured This book argues that the legal framework for internal control which is a form of meta regulation is susceptible to weaknesses and such weaknesses are critically examined by

adopting an interdisciplinary approach The book discusses whether post crisis reforms adequately address the weaknesses in regulating internal control and proposes an alternative strategy to enhance the governance effectiveness of internal control

Regulating Undercover Law Enforcement: The Australian Experience Brendon Murphy, 2021-03-05 This book examines the way in which undercover police investigation has come to be regulated in Australia Drawing on documentary and doctrinal legal analysis this book investigates how in the space of a single decade Australian law makers set out to regulate one of the most difficult aspects of police undercover investigation In so doing the Australian experience represents a paradigm model And yet despite its success it is a system of law and practice that has a dark side a model of investigation to relies heavily on activities that are unlawful in the absence of authorisation It is a model that is as much concerned with the surveillance and control of police as it is with suspected criminal conduct The book aims to locate the Australian experience in comparative perspective with other major common law jurisdictions the United Kingdom Canada and New Zealand with a view to contrast strengths similarities and weaknesses of these models It is argued that the Australian model at the pragmatic level offers a highly successful model for regulatory structure and practice providing a significant model for successful regulation At the same time the model that has been introduced raises important questions about how and why the Australian experience evolved in the way that it did and the implications this has for the relationship between citizen and state the judiciary and the executive and broader questions about the protections offered by rights discourse and jurisprudence This book aims to document the law policy and practices that shape undercover investigations In so doing it aims to not only articulate the way in which the law regulates these activities but also to move on to consider some of the fundamental questions linked to undercover investigations how did regulation happen By what means of regulation What are the driving policy issues that give this field of law its particular complexion What are the implications Who gains and who loses by which means of power The book offers unique insights into a largely unknown aspect of modern covert policing identifying a range of practices the legal framework controversies and powers By locating these practices in a rich theoretical context informed by risk and governmentality scholarship this book offers a legal and theoretical explanation of one of the most controversial forms of policing

Governing Risks Pat O'Malley, 2021-12-24 Contemporary law and government are increasingly characterized by a focus on risk Fields such as health psychiatry criminal justice vehicle safety urban design and environmental governance all provide examples of settings in which problems are dealt with as risks While risk has become more prominent there have also been changes in the nature of risk techniques deployed Whereas welfare states provided many services through socialized risk such as social insurances covering health employment and old age increasing emphasis is now placed on individual risk management arrangements such as private insurance In this environment the positive side of risk has also been made more salient Enterprise innovation and risk taking have become qualities valued or even required of current governance In this volume the most influential examinations and interpretations

of this major trend have been brought together in order to make clear the range and diversity the spread and penetration of risk in contemporary societies

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