DANGER

By James Whiteside

The Struggle for Mine Safety in the Rocky Mountain Coal Industry

Regulating Danger

Giulia Claudia Leonelli

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 envi ronment 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 disproportionally 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

Regulating Risk Through Private Law Matthew Dyson,2018 This volume sets out for nine significant legal systems an overarching conception of risk in legal theory particularly of the linked role of risk taking in generating liability and in liability regulating risk It is the first book length comparative attempt to explain what risk based reasoning adds to private law with a core focus on the law of tort 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 *The Politics of Precaution* David Vogel, 2012-04-29 The Politics of Precaution examines the politics of consumer and environmental risk regulation in the United States and Europe over the last five decades explaining why America and Europe have often regulated a wide range of similar risks differently It finds that between 1960 and 1990 American health safety and environmental regulations were more stringent risk averse comprehensive and innovative than those adopted in Europe But since around 1990 the book shows global regulatory leadership has shifted to Europe What explains this striking reversal David Vogel takes an in depth comparative look at European and American policies toward a range of consumer and environmental risks including vehicle air pollution ozone depletion climate change beef and milk hormones genetically modified agriculture antibiotics in animal feed pesticides cosmetic safety and hazardous substances in electronic products He traces how concerns over such risks and pressure on political leaders to do something about them have risen among the European public but declined among Americans Vogel explores how policymakers in Europe have grown supportive of more stringent regulations while those in the United States have become sharply polarized along partisan lines And as European policymakers have grown more willing to regulate risks on precautionary grounds increasingly skeptical American policymakers have called for higher levels of scientific certainty before imposing additional regulatory controls on business Breaking the Vicious Circle Stephen Brever, 1995-03-15 Breaking the Vicious Circle is a tour de force that should be read by everyone who is interested in improving our regulatory processes Written by a highly respected federal judge who obviously recognizes the necessity of regulation but perceives its failures and weaknesses as well it pinpoints the most serious problems and offers a creative solution that would for the first time bring rationality to bear on the vital issue of priorities in our era of limited resources 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

Uncertain Risks Regulated Ellen Vos, Michelle Everson, 2009-01-26 The scientification of politics and the politicisation of science Michelle Everson and Ellen Vos Opening pandora s box contextualising the precautionary principle in the European Union Elisabeth Fisher Uncertainties in regulating food safety in France Julien Besanon and Olivier Borraz The origins of regulatory uncertainty in the UK food safety regime Henry Rothstein The Dutch regulatory framework for food risk analysis based food law in the Netherlands Bernd van der Meulen Food safety in Poland standards procedures and institutions Aleksander Surdej and Karolina Zurek A default logic model of factfinding for United States regulation of food safety Vern Walker The French regulatory system on GMOs Christine Noiville The UK regulatory system on GMOs expanding the debate Maria Lee GMO regulation in the Netherlands a story of hope fear and the limits of poldering Han Somsen The Polish regulatory system on GMOs between EU influence and national nuances Patrycja Dabrowska The regulation of environmental risks of GMOs in the United States Michael Rodemeyer The EU regulatory system on food safety between trust and safety Ellen Vos The EU regulatory system for GMOs Greg Shaffer and Mark Pollack European regulation of GMOs thinking about judicial review in the WTO Joanne Scott The Codex Alimentarius Commission and its food safety measures in the light of their new status Marille matthee Three intimate tales of law and science hope despair and transcendence Michelle Everson Science knowledge and uncertainty in eu risk regulation Marjolein van Asselt Ellen Vos and Bram Rooijackers The role of scientific experts in risk regulation of foods Harry Kuiper Inclusive risk governance through discourse deliberation and participation Andreas Klinke Sound science in the European and global market Karl Polanyi in geneva Christian Joerges

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 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 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, 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 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 The European Union **REACH Regulation for Chemicals** Lucas Bergkamp, 2013-10-24 This book discusses the law and practice of the European Union s new chemical regulatory programmes known under the acronym REACH REACH is intended to ensure the safe management of risks associated with chemical substances throughout the supply chain Its scope is very broad subject to limited exceptions REACH applies to all bulk chemicals used in industrial processes and to chemicals present in products such as cleaning products paints clothing furniture and electrical appliances The newly established European Chemicals Agency ECHA the Commission and member state authorities are in charge of administering the various parts of the REACH Regulation creating a complex patchwork of government powers procedures and oversight The volume is written by experienced REACH practitioners It addresses both the key legal regulatory issues associated with REACH and the key management and practical challenges In addition to analysing the scope the processes and the obligations of the industry under REACH the book covers the strategy and management of REACH compliance from the perspective of the regulated entities The focus is on the strategic and practical decisions facing companies subject to REACH s various regimes Significant attention is paid to REACH consortia which are a key instrument in compliance management and to the competition law issues arising in connection with REACH consortia It also covers legal remedies enforcement intellectual property rights and civil liability for damages arising from chemical substances as well as how companies can shape their REACH compliance programme to reduce their liability exposure 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 The Government of Risk Christopher Hood, Henry Rothstein, Robert Baldwin, 2001-08-23 Why does regulation vary so dramatically from one area to another Why are some risks regulated aggressively and others responded to only modestly Is there any logic to the techniques we use in risk regulation These key questions are explored in The Government of Risk This book looks at a number of risk regulation regimes considers the respects in which they differ and examines how these differences can be justified Analyzing regulation in terms of regimes allows us to see the rich multi dimensional nature of risk regulation It exposes the thinness of society wide analyses of risk controls and it offers a perspective that single case studies cannot reach Regimes analysis breaks down the components of risk regulation systems and shows how they interact It also shows how different parts of the same regime may be shaped by different factors and have to be explained and understood in guite different ways The Government of Risk shows how such an approach is of high policy relevance as well as of considerable theoretical importance

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 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 guantitative 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 *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 Danger Book Review: Unveiling the Magic of Language

In a digital era where connections and knowledge reign supreme, the enchanting power of language has are more apparent than ever. Its capability to stir emotions, provoke thought, and instigate transformation is actually remarkable. This extraordinary book, aptly titled "**Regulating Danger**," compiled by a highly acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound effect on our existence. Throughout this critique, we will delve in to the book is central themes, evaluate its unique writing style, and assess its overall influence on its readership.

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