

The Open Corporation

*Effective Self-regulation
and Democracy*



Christine Parker

Open Corporation Effective Self Regulation And Democracy

Michael Rajnik



Open Corporation Effective Self Regulation And Democracy:

The Open Corporation Christine Parker, 2002-07-08 The Open Corporation originally published in 2002 set out a blueprint for effective corporate self regulation offering practical strategies for managers stakeholders and regulators to build successful self regulation management systems Christine Parker examined the conditions under which corporate self regulation of social and legal responsibilities were likely to be effective covering a wide range of areas from consumer protection to sexual harassment to environmental compliance Focusing on the features that make self regulation or compliance management systems effective Parker argued that law and regulators needed to focus much more on meta regulating corporate self regulation if democratic control over corporate action was to be established

Corporations and International Lawmaking Stephen Tully, 2007 The classical model of international lawmaking posits governments as exclusively authoritative actors However commercially oriented entities have long been protagonists within the prevailing international legal order concluding contracts and resolving disputes with governments Is the international legal personality of corporations undergoing further qualitative transformations Corporations influence the State practice constitutive of custom and create refashion or challenge normative rules The corporate willingness to fill legal lacunae where governments do not exercise their full regulatory responsibility is also observable through resort to alternative legal mechanisms Corporations moreover contribute directly to treaty negotiations and occupy crucial roles during subsequent implementation Indeed an analysis of the access conditions and participatory modalities for non State actors could support a right to participate under common international procedural law Their substantive contributions are also evident when corporations participate in enforcing international law against governments through national courts diplomatic protection including the WTO and arbitration including NAFTA However the practice of intergovernmental organizations reveals several challenges including managing corporate interaction with developing country governments and other non State actors Acknowledging corporate contributions also has important implications for national regulatory autonomy the ability of governments to mediate contested policy issues the democratic legitimacy of the contemporary lawmaking process and an understanding of consent as the underlying basis for international law

Taming the Corporation Robert Baldwin, Martin Cave, 2020-11-19 Taming the Corporation offers a much needed positive vision of regulation Using numerous case examples to address real life challenges it stresses the role of good regulation in allowing businesses to flourish serve markets effectively and respect broader interests and provides a method of designing regulation in its most productive form

Multi-stakeholder Governance and the Internet Governance Forum Jeremy Malcolm, 2008 Multi stakeholder governance is a fresh approach to the development of transnational public policy bringing together governments the private sector and civil society in partnership The movement towards this new governance paradigm has been strongest in areas of public policy involving global networks of stakeholders too intricate to be represented by governments alone Nowhere is this better illustrated than

on the Internet where it is an inherent characteristic of the network that laws and the behaviour to which those laws are directed will cross national borders resulting not only in conflicts between national regimes but also running up against the technical and social architecture of the Internet itself In this book Jeremy Malcolm examines the new model of multi stakeholder governance for the Internet regime that the Internet Governance Forum IGF represents He builds a compelling case for the reform of the IGF to enable it to fulfil its mandate as an institution for multi stakeholder Internet governance

Provided by publisher *The Legitimacy and Responsiveness of Industry Rule-making* Karen Lee, 2018-09-06 Rule making is no longer an activity undertaken exclusively by public actors Private actors are increasingly allowed by legislatures and regulatory bodies to take part in and in some cases assume responsibility for the formation of legally binding rules for example in the US UK Australia and the EU Departing from traditional forms of rule making by involving private actors may enhance the ability of regulatory systems to achieve social goals as regulatory scholars argue However because private actors are permitted to act in their own best interests their involvement also raises doubts about the legitimacy of the underlying rule making processes and the rules that are formulated The principal aim of this book is to highlight that the tension between the responsiveness that leading international regulatory scholars advocate in order to improve regulatory effectiveness and the law and its formal substantive procedural and institutional values is not as great as may first appear Drawing on three in depth case studies of the experience of the Australian telecommunications industry with self regulatory rule making a form of rule making that bears the hallmarks of responsive regulation democratic experimentalism smart regulation and other strategies of proceduralization it is argued that industry rule making can as a matter of practice be responsive and legitimate at the same time In doing so the book formulates and applies criteria against which industry rule making should be evaluated and identifies a number of indicia that point to when industry rule making is likely to be simultaneously legitimate and responsive

Market Integration: The EU Experience and Implications for Regulatory Reform in China Niels Philipsen, Stefan E. Weishaar, Guangdong Xu, 2015-11-06 This book examines the relationship between regulation and market integration with a special focus on China It pursues a Law and Economics and Comparative Law approach China and EU to analyze the current obstacles to market integration and domestic economic growth in China Topics covered at the national level include competition law public procurement rules and financial regulation At the regional and local level this book addresses questions related to administrative monopolies self regulation legal services markets and environmental law

The Political Power of the Business Corporation Stephen Wilks, 2013-01-01 The large business corporation has become a governing institution in national and global politics This study offers a critical account of its political dominance and lack of democratic legitimacy

From Command-and-control to Corporate Self-regulation Jodi Lynne Short, 2008 *The American Economic Review* , 2003 Includes annual List of doctoral dissertations in political economy in progress in American universities and colleges and the Hand book of the American Economic Association

Reputation Risk and Globalisation Terry O'Callaghan, 2016-10-28 Recently multinational corporations have begun to reinvent themselves as socially responsible actors largely in response to anti corporate activist pressure The author argues that a concern with corporate reputation is leading to an ideational shift in corporate behaviour in essence it is disciplining their behaviour This innovative exploration of the idea of a self regulating corporation in an era of globalisation first examines the link between corporate reputation corporate behaviour and self regulation and then goes on to compare and contrast various studies of multinational corporations that have sought to self regulate Terry O Callaghan includes a multifaceted critique of anti corporate activists This acknowledges both the dangers that multinational corporations pose to communities and that anti corporate activists are the first group to understand the potential risk of targeted campaigns to corporate reputations He also illustrates his points using three case studies of companies that have attempted to self regulate Royal Dutch Shell the Toyota Motor Corporation and Interface Inc Undergraduate and postgraduate students of international business management and business ethics will be interested in the essential topics covered in this book Academics and practitioners alike will appreciate its accessible lessons about reputational capital and holding multinational corporations accountable

The University of New South Wales Law Journal ,2003 **Symposium** ,2008 **Redesigning Financial Regulation** Justin O'Brien, 2007 At the height of the 1990s boom Jack Grubman one of the most successful analysts in Wall Street proclaimed what used to be conflicts of interest are now synergies This myopia contributed dramatically to the elevation of a culture in which greed was deified oversight denigrated and misfeasance justified Since the fall of the markets and the implosion of confidence in the American corporate business model one man has proved instrumental in deconstructing the rhetoric of the 1990s Eliot Spitzer the combative Attorney General of New York In the process his innovative application of state law has reconfigured the governance of Wall Street Over the past three years the pursuit of transparency and accountability in the structure of the markets has propelled Spitzer to the forefront of regulatory policy His investigations into tainted analyst research the mutual funds industry the governance of the New York Stock Exchange and the insurance industry have focused attention not just on corrupted individuals but also the complicity of the financial structure itself Spitzer exploited the inherent conflicts of interest to the full forcing regulators to adopt a much more proactive approach and creating a national platform for his own wider political ambitions Now holding the Democratic nomination for the Governorship of New York Spitzer has begun a path for higher national office This groundbreaking book features exclusive access with many of the key actors in these changes to the governance of Wall Street It examines how Eliot Spitzer exploited gaps in the regulatory framework to capture the corporate reform agenda and explores the implications of his actions on policy formation and recalibration Key incidents include changing the terms of reference governing analyst research the defenestration of Dick Grasso's tenure over the NYSE which is now being heard in state court in New York and the battles for control between the former Chairman of the Securities Exchange Commission Harvey Pitt

and Spitzer The book details not only the contested contingent and interdependent connections between the American political and financial systems but reveals how Spitzer's manipulation of those connections have proved instrumental in enhancing his own wider political ambitions *Australian Journal of Labour Law*, 2002 **The New Zealand Law Journal**, 2002 The Oxford Handbook of Legal Studies Peter Cane, Mark V. Tushnet, 2003 This volume in the prestigious series of Oxford Handbooks provides a widely accessible overview of legal scholarship at the start of the 21st century Through 43 essays by leading legal scholars based in the USA the UK Australia New Zealand Canada and Germany it offers original and interpretative accounts of the nature themes and trends of research and writing about all areas of the law *New Media Worlds* Virginia Nightingale, Tim Dwyer, 2007 Uses a mix of case studies theoretical reflection and critical analysis to explore four central issues for the study of new media and their impact on user communities the impact of convergence activism access and participation in new media Throughout it emphasises the way audiences are experiencing changes in the media

Australian journal of legal philosophy, 2003 **Regulation** Richard Johnstone, Rick Sarre, 2004 There has been a significant increase in regulation of civil society in the late twentieth century by governments to ensure that their policy objectives are being achieved As a result a wide range of institutions are subject to a range of regulatory practices This collection of papers is from an Australian Institute of Criminology conference which was held in Melbourne in September 2002 in conjunction with the Regulatory Institutions Network RegNet at the Australian National University and the Division of Business and Enterprise at the University of South Australia The papers summarise the issues relating to the emergence of the new regulatory state the various forms of regulatory techniques that are being used the way in which regulatory regimes are increasingly being networked to ensure compliance and the conflicts that can sometimes emerge from such an interface

Corporate Governance in Government Corporations Michael J. Whincop, 2005 The only book of its kind this study of the corporate governance of for profit business corporations examines the history of government corporations the problems associated with mating the corporation to a public use the possibilities for rent seeking associated with government corporations a new body of empirical evidence on governance practices and some of the potential areas for reform in government corporations

Reviewing **Open Corporation Effective Self Regulation And Democracy**: Unlocking the Spellbinding Force of Linguistics

In a fast-paced world fueled by information and interconnectivity, the spellbinding force of linguistics has acquired newfound prominence. Its capacity to evoke emotions, stimulate contemplation, and stimulate metamorphosis is really astonishing. Within the pages of "**Open Corporation Effective Self Regulation And Democracy**," an enthralling opus penned by a highly acclaimed wordsmith, readers embark on an immersive expedition to unravel the intricate significance of language and its indelible imprint on our lives. Throughout this assessment, we shall delve in to the book is central motifs, appraise its distinctive narrative style, and gauge its overarching influence on the minds of its readers.

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