The disadvantage of the collection is that not many academics or students may have strong interests in these specific research areas.

The Government of Risk – Understanding Risk Regulation Regimes, by Christopher Hood, Henry Rothstein, and Robert Baldwin, 2001, New York: Oxford University Press

Reviewer: Patricia Born, California State University, Northridge

The Government of Risk is an interesting guide to the evaluation of risk regulation. It offers a very detailed system for classifying risk regulation regimes, which is motivated by a need to understand why society addresses different risks in so many different ways. Risks that get a lot of media attention do not always get heightened regulatory attention. Despite pressures of interest groups, the regulatory responses to some risks may be better explained by historical inertia in the regulating organization. This book examines these types of inconsistencies by disaggregating components of regulatory content and testing competing theories of how various factors influence these components.

The first section of the book sets up a system by which risk regulation regimes may be classified. The system is designed to describe regimes—to provide meaningful ways of classifying regimes for a variety of purposes—but not to explain their existence. Since empirical insurance research often involves classification of both legal and regulatory regimes (e.g., rate filing regulation type), the discussion here is quite useful for insurance researchers. Most important, the discussion suggests how a simple categorization (e.g., "prior approval" rate regulation) may obscure many other dimensions of the regulation activity.

In the first two chapters, the authors set up two basic dimensions on which risk regimes could vary: (1) the context and content of regimes, and (2) the information-gathering, standard-setting, and behavior modification components of control. The section is long and hard to follow, but this is largely due to the complexity of the authors' task. Classification systems themselves are classified; regimes are disaggregated into simple dimensions, which are then divided into components. The reader may be encouraged by the authors' use of tables, without which the first few chapters would be extremely confusing.

Having provided a framework for comparison, the authors then describe nine specific risk regulation "regimes," including attacks by dangerous dogs outside the home, cancer from emissions of benzene, and adverse health effects from exposure to pesticide residues in food and in drinking water. In each of the nine examples, the authors address basic points of comparison. For example, is the risk a product of technological developments? How is the risk measured? Is there a common view, or is there controversy over the estimated risk? Is it a risk that has been given close attention by society and/or the media? Who or what creates or contributes to the risk? Which parties take an interest in the methods used for controlling the risk? The authors use the nine examples to illustrate the relationship between varying levels of regulatory control (high to low) and the regime context, defined as the "setting in which regulation takes place, such as the different types and levels of risk being tackled, the nature of public preferences and attitudes over risk, and the way the various actors who produce or are affected by the hazard are organized." Then the authors use the same nine examples to show the relationships between the varying degrees of standard-setting, information-gathering and behavior modification activities and the regime content, defined as the "policy settings, the configuration of state and other organizations directly engaged in regulating the risk, and the attitudes, beliefs, and operating conventions of the regulators." These comparisons suggest that regimes that are similar in one component, such as information-gathering activities or regulatory aggression, may be different in others.

The authors then compare the nine regimes several more times, using less detailed elements of the basic dimensions. For example, they analyze the dimensions of regulatory control for each of the nine regimes to create a new measure for comparison: the degree to which integration exists in the control components. That is, a risk for which activities related to standard setting, information gathering, and behavior modification are all high would exhibit high integration and cohesion. The authors compare the new measure to the extent that formal organizational responsibilities overlap across those control dimensions. For example, when one organization is largely responsible for information gathering, and another organization is responsible for standard setting, we might expect less integration than when one organization is in control across all dimensions.

At the conclusion of their Section I, the authors suggest that no uniformity exists in the way the state regulates risk, and the variations in approaches are not trivial. The differences "cannot be accounted for in terms of general propositions about how modern societies construe and approach risk compared with societies of the past." Most important, the analysis in this section highlights the difficulty in categorizing risk regulation regimes.

The next section (five chapters) attempts to explain variations in risk regulation regimes. The authors separate the context and content of regulatory regimes to examine how variations in context determine variations in content. They consider three main shapers of regulatory content: market failure pressures, opinion-responsible pressures, and interest-driven pressures. They then apply the logic of each of these hypotheses to the nine regimes presented in the first section. The authors' goal is to determine the extent to which each of these hypotheses helps predict regulatory content in practice.

The market failure hypothesis suggests, among other things, that regulatory responses to risk will be as small and unobtrusive as possible to deal with the specific market failure problem at issue. One assumption is that individuals are capable of taking reasonable steps to inform themselves about the hazards that may affect them. However, since individuals face information costs, we would expect regulatory size to be larger when information costs are high than when they are low. Furthermore, the extent of market failure is related to the ability of individuals to avoid or "opt out" of the risk in some way. The hypothesis suggests that if information costs were high but opt-out costs were low, then regulatory size would be high for information-gathering activities but perhaps low for activities aimed at modifying behaviors. In a comparison of the "actual" regulatory content to that predicted by the market failure hypothesis, the authors note several inconsistencies. For example, the regulation of benzene in the workplace rates much lower on the behavior modification and standard-setting components than would be expected, "given the high opt-out costs and infeasibility of individually based contract solutions for avoiding the risk."

The opinion-responsive government hypothesis addresses the relationship between public preferences and regime content. It suggests that regulatory size, and possibly the structure and style, reflect the general drift of public opinion. The authors evaluate the media coverage associated with risk regimes and point out large differences. They note several difficulties in linking public opinion to regulatory content, including the variety of opinions and opinion-gathering approaches and volatility over the specifics of proposed regulations. For example, while the U.K. public has appeared in favor of a general dog registration and a ban on dangerous fighting dogs, "opinion seemed to be more evenly divided when it came to specific measures such as whether all American pit bull terriers should be compulsorily executed." In most cases, opinion-responsive expectations are not a good predictor of regulatory size; "too much" is done for domestic radon risks while "not enough" is done in response to pesticide residues in foods. The authors note that these inconsistencies might be explained by imbalances of information and expertise between regulators, other players, and the public.

The third hypothesis suggests that regulatory content is driven by the influence of organized interests, or "rent-seeking" groups. One of the problems in evaluating this hypothesis is that these interests cannot be easily separated from public opinion pressures. Interest groups that might shape regulatory content include organized producers, whose interests may not be particularly well-organized. The authors evaluate how business interests are reflected in the nine risk regimes and suggest varying levels of involvement. In the case of ambient benzene regulation, for example, the regulatory content does not match the predicted market failure estimate but can be more readily explained by the interests of the "vehicle and petrochemical corporations with high stakes and considerable practice in dealing with regulators." In some cases, business interests are absent, but other interest groups, including dog-breeding associations and human rights lobbies, dominate the policy domain.

The authors also consider the interests of bureaucrats, whose interests may not necessarily be in line with public opinion but are often thought to be more in line with an interest group. In fact, they may be considered a separate interest group altogether. Some argue that bureaucrats' main interest is to maximize their budget. The authors briefly explore how bureaucrats and regulators function as interest groups in the nine policy domains. In the case of radon risks, they suggest that the group of nuclear scientists, who dominate the standard-setting regulation component in the absence of any other organized interests or public opinion, fit the "zealot" view—that bureaucrats have a substantive interest in the policies they administer.

Taken together, the three hypothesized regime-shapers explain the variety in the content of risk regulation. In many cases, the influence of these shapers overlaps, but in some cases actual activities go in opposite directions from those suggested by the hypotheses. Some aspects of regulation stem from the "inner life" of regulatory organizations, including historical inertia and "the micro-politics and the culture and activity of risk bureaucrats or technocrats."

The first two parts of this book focus on describing regimes and explaining these regimes in a comparative static sense. In the final section, the authors evaluate the extent to which observed changes in risk regulation fit in a quasi-evolutionary view of risk regulation dynamics. This analysis requires an understanding of the sources and types of pressures for "openness." Openness involves greater transparency in some or all components of regulatory content, wider public participation, and heightened accountability. Institutions respond in different ways to pressures for greater openness, giving rise to three competing hypotheses. One, the autopoiesis hypothesis, indicates that institutions will tend to respond to outside pressures for greater openness in ways that reproduce their basic modes of operation with minimal disturbance. The authors reconsider the nine risk regimes to determine the extent that they reflect pressures over time to change regulatory content. The authors find that behaviors observed in "high-pressure" regimes (i.e., those facing continuing pressures for increased openness) are consistent with a hypothesis that institutions faced with demands for greater openness and transparency in risk regulation tend to adopt "blame prevention re-engineering responses."

The book concludes with a discussion of the usefulness of a risk regulation regime perspective in understanding risk regulation. One of the payoffs of this approach is that it provides a tool for assessing institutional and policy design. Specifically, it offers "a way of analyzing all the dimensions of institutional control systems." The ideas and methodologies proposed throughout the book are especially valuable for researchers who need to understand and account for differences in risk regulation regimes.

Medical Malpractice: A Comprehensive Analysis, by Vasanthakumar N. Bhat, 2001, Westport, Conn. & London: Auburn House

Reviewer: Charles P. Hall, Temple University

The author states in his preface that "the purpose of this book is to present a comprehensive overview of the medical malpractice system." He also states that his goal "is to present an overview of the latest literature along with my observations about medical malpractice from a statistical analysis." He achieves his first objective via an almost encyclopedic inclusion of hundreds of footnotes selected from the more than 70,000 research papers discovered in his search of MEDLINEplus, as well as numerous additional references found in social science and statistical journals. Indeed, the extent of the statistical content is such that the book is liable to be extremely intimidating to anyone who lacks a degree of statistical sophistication. Clearly, this is not a book for the average man or woman, despite the helpful Appendix I on statistical methods.

That said, a serious researcher on the topic of medical malpractice would find a lot of valuable information that has been summarized, analyzed, and presented in considerable statistical detail. Students in law, medicine, and health administration will also find it useful. For this reviewer, however, a number of the author's "observations about medical malpractice" drawn from his statistical analyses of the data seems both biased and, in some cases, simply wrong. Furthermore, starting with the very first sentence in his preface, he occasionally drops "observations" that are unsupported by references. In stating, "There has been an ongoing medical malpractice crisis in the United States starting from around the 1840s," he provides not a single jot of evidence to support such a sweeping allegation. Indeed, for it to be true would necessitate an extremely loose definition of the word "crisis." (To be fair, he does cite a source for this exaggerated allegation in Chapter 1—the source, however, considers 217 U.S. Appellate Court cases over a span of 110 years to constitute a "crisis." This is not a definition that most observers would accept.)