

Science and regulatory capture

Andrea Saltelli, Brussels, Norway House,
October 6, 2022

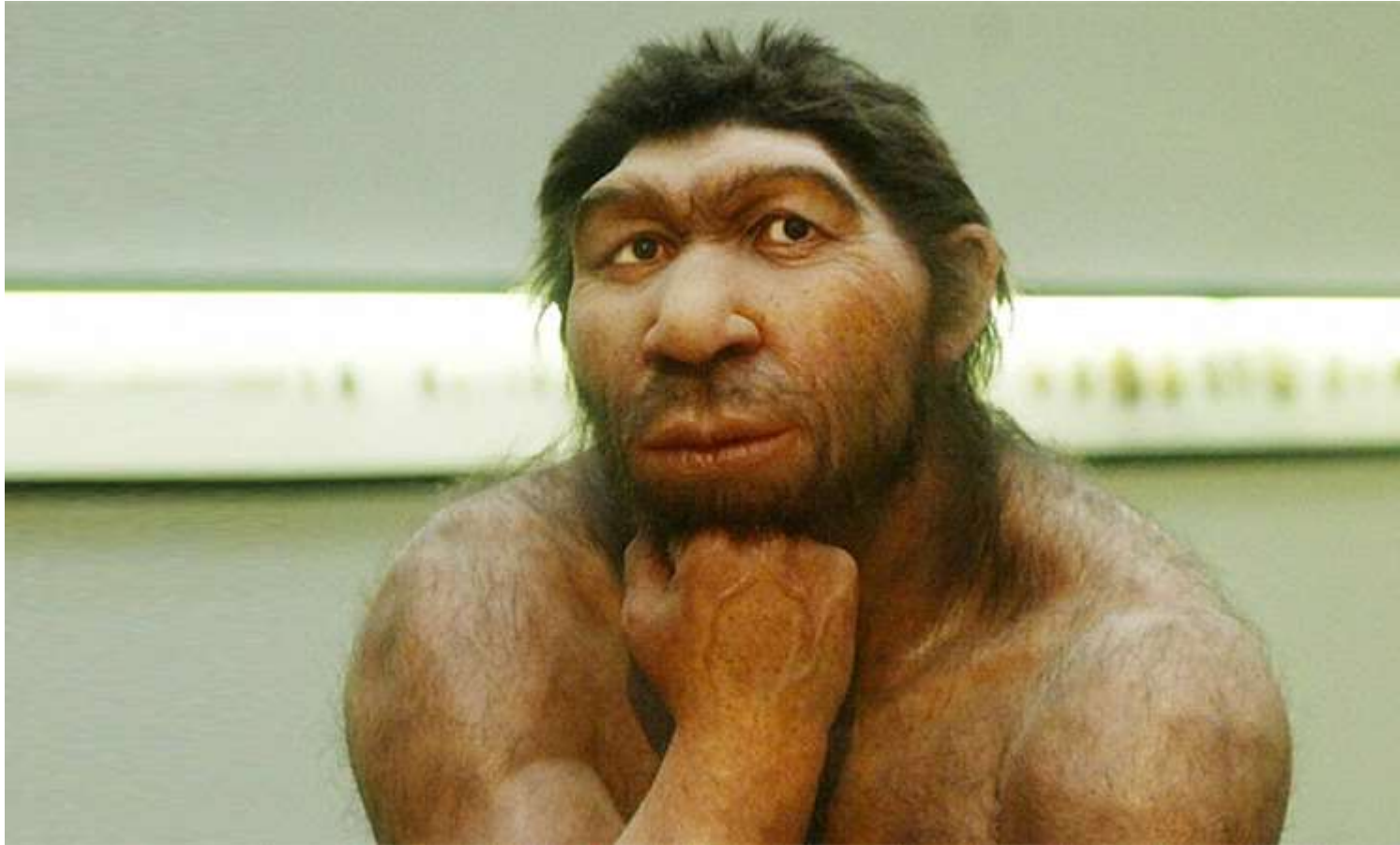


Science, lobbies and the environment: marking
the 60th anniversary of Rachel Carson's Silent
Spring

“... the Neanderthal age of biology and philosophy, when it was supposed that nature exists for the convenience of man”



Are we past this age of Neanderthal?



Are we past this age of Neanderthal? If not, why?



Futures
Available online 26 October 2021
In Press, Journal Pre-proof



Science, the endless frontier of regulatory capture

Andrea Saltelli ^{a,*,} Dorothy J. Dankel ^{b, c,} Monica Di Fiore ^{d,} Nina Holland ^{e,} Martin Pigeon ^f

... a form of corporate penetration which is based on a strategic use of the image and legitimacy of science

...cases where lobbyists present themselves as upholders of the values of the evidence-based policy, and interested in the methodological and ethical aspect of science for policy

An epistemic ladder for regulatory capture

- **Epistemic.** Invalidating the inference or the methods
- **Institutional.** Delegitimising and/or 'colonising' institutions
- **Political.** Promoting a worldview where the very idea of regulation is undesirable

Science, the endless frontier of regulatory capture



The ineluctability of regulatory capture cuts across schools of economic thought: public interest theory and regulatory capture theory



Arthur Cecil Pigou
1877 –1959

George J. Stigler
1911 –1991



Regulation in the public interest theory is seen as a need originating from market failure – hence the need for regulatory intervention



Arthur Cecil Pigou
1877 –1959

Regulation in regulatory capture theory is seen as a result of particular interests which are favoured by it

“regulation is acquired by the industry and is designed and operated primarily for its benefit”

George J. Stigler
1911 –1991



Beryl L. Crowe: *a regulatory capture cycle*

- An agency is created as a result of a period of social alarm
- Eventually, interest groups take control
- In the final phase, even the staff of the agency comes from the interest groups it should regulate

**The Tragedy of the
Commons Revisited**

28 November 1969, Volume 166, Number 3909

SCIENCE

A more recent concept: **regulatory capitalism**, the new global world order where the importance of rules as a source of power has increased in scope

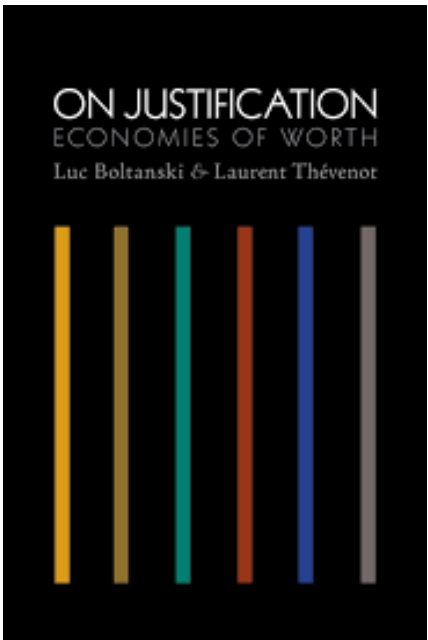
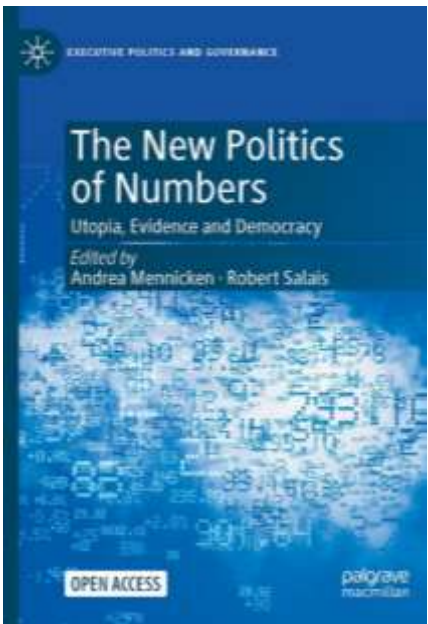


Regulatory capitalism

Optimistic view: allowing a more balanced approach to the distribution of power and resources in favour of the global poor (Levi-Faur, David [Editor of Regulation and Governance]. 2005. “The Global Diffusion of Regulatory Capitalism.” *The ANNALS of the American Academy of Political and Social Science* 598 (1): 12–32.)

Pessimistic view: act of the tragedy of commodification, made possible by a subservient and commodified science (Drahos, Peter. 2020. “Responsive Science.” *Annual Review of Law and Social Science* 16 (1): annurev-lawsocsci-040220-065454.)

Standards as an
instrument for the
commodification of norms



A New Calculable Global World
in the Making: Governing Through
Transnational Certification Standards

Laurent Thévenot

critical public debates between
conceptions of the common good



individual consumers' choices
between certified market goods



Cognitive capture?

“regulators may come to view the world the way firms do, not because they have been captured through incentives, but because they have been convinced”

(Dal Bó, Ernesto. 2006. “REGULATORY CAPTURE: A REVIEW.” Oxford Review of Economic Policy 22: 203–25)

P. Mirowski, “Hell Is Truth Seen Too Late,” Bound. 2, vol. 46, no. 1, pp. 1–53, Feb. 2019.

What has science to
do with all that?

Power asymmetries in the framing of issues:
those who have the deepest pockets marshal
the best [foremost 'scientific'] evidence

Sylvain Laurens

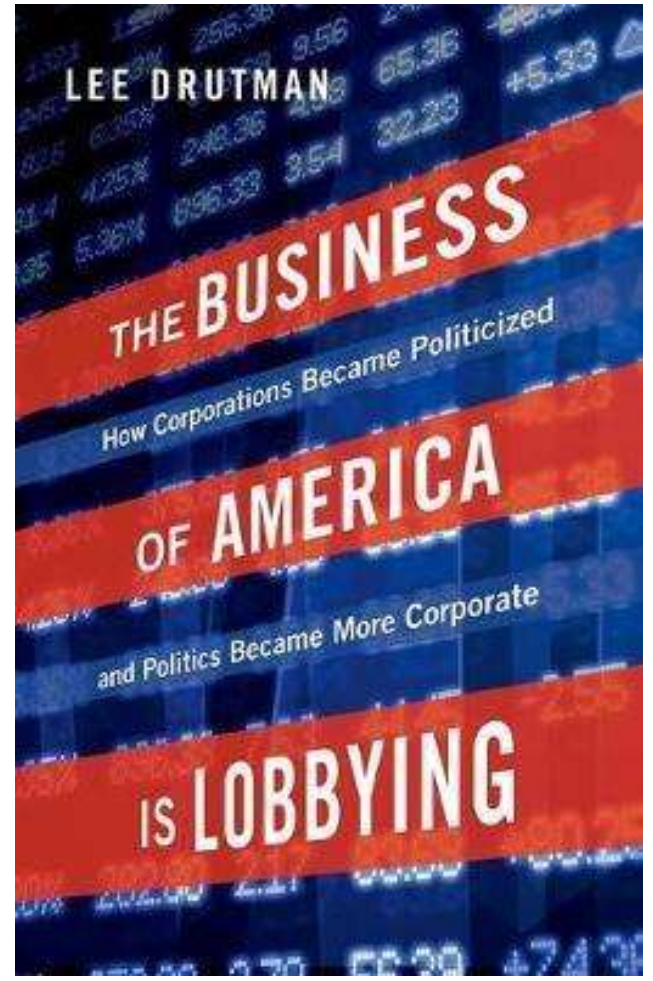


**LOBBYISTS AND
BUREAUCRATS IN BRUSSELS**
CAPITALISM'S BROKERS

Sylvain Laurens



Lee Drutman

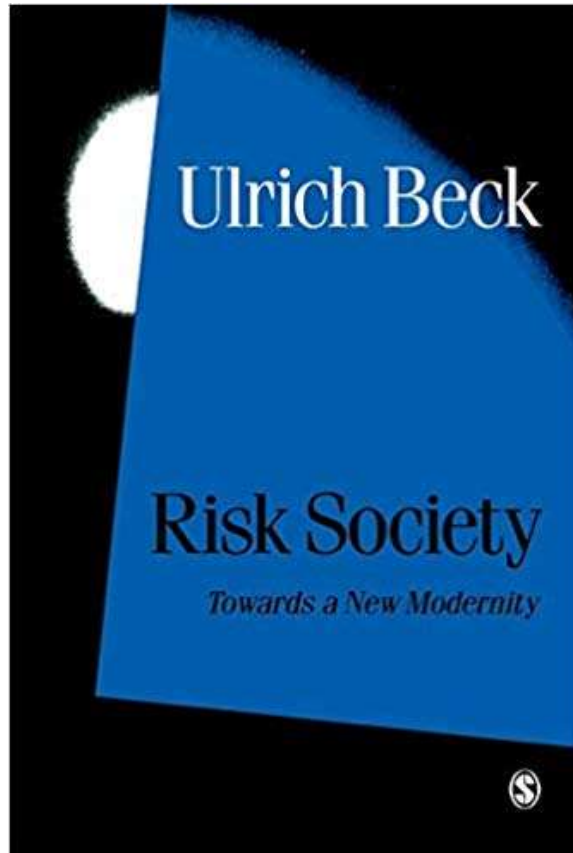


For both Laurens and Drutman a salient aspect of this power is lobbyists' access to more and better disseminated knowledge/science

“They have the data”



Science as a self-service shop for financially well-endowed customers in need of arguments (Beck 1992)

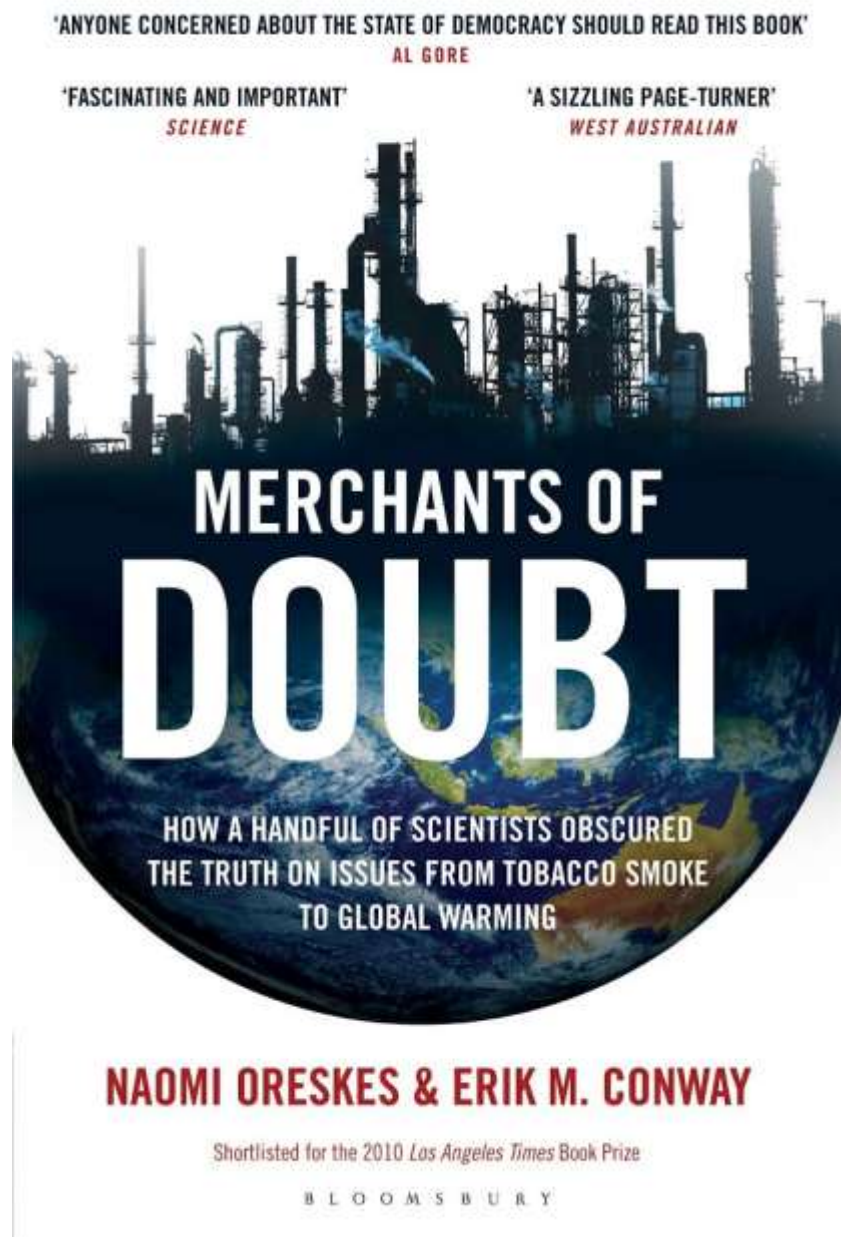


1992 (1986)



Ulrich Beck
(1944 -2015)

From doubt to
domination



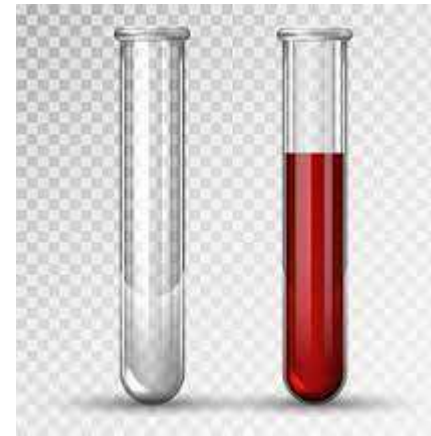
Naomi Oreskes and Erik M. Conway

‘sound science’ and
‘good epidemiology’
against ‘junk science’

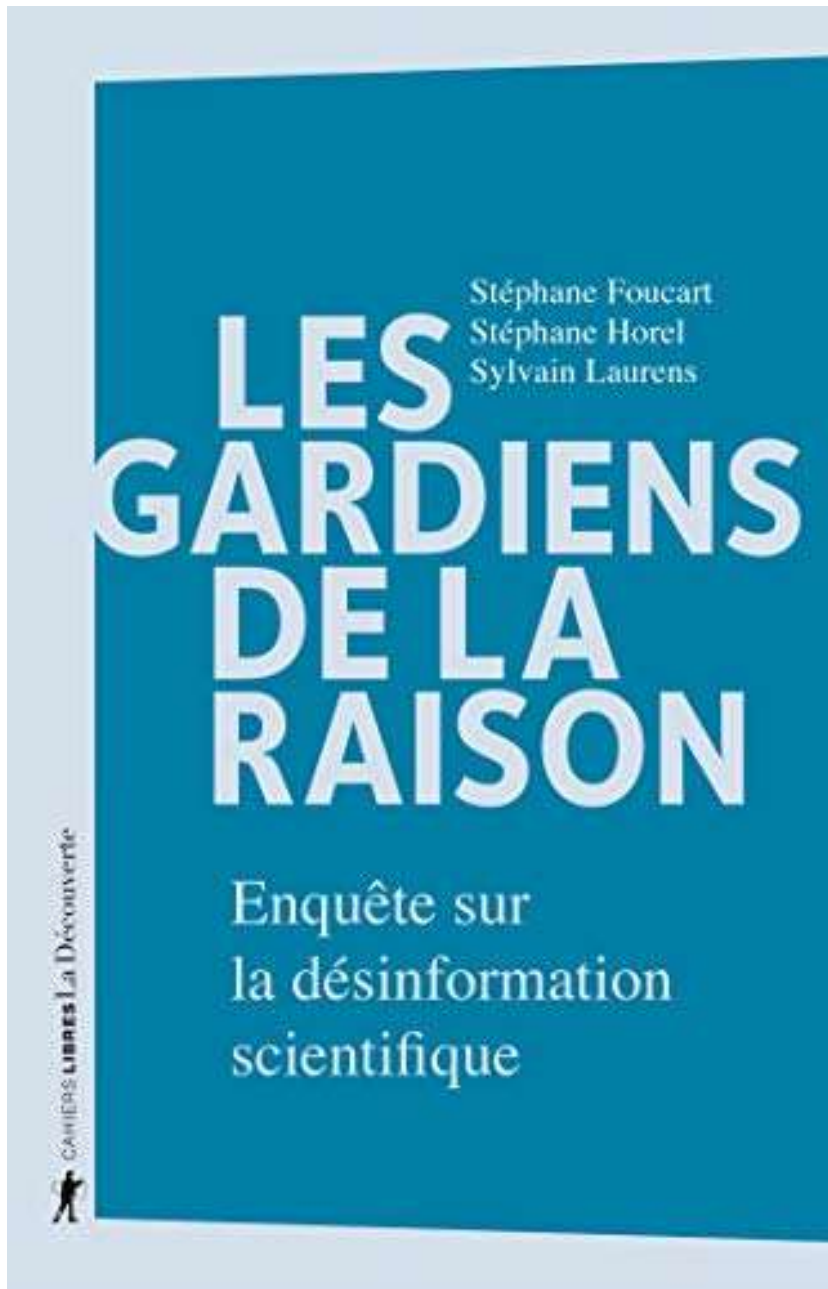
Guardians of reason



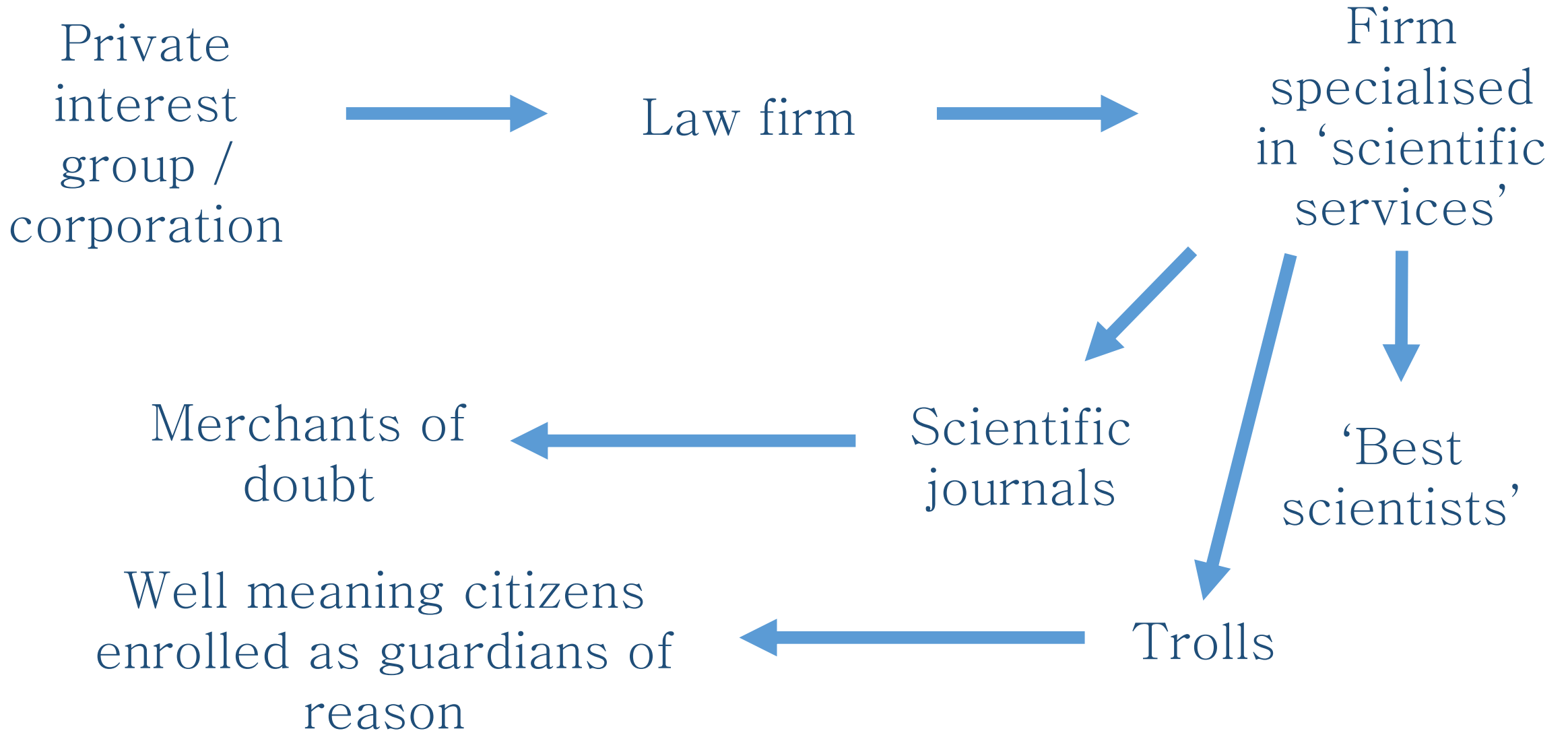
Guardians of sound science



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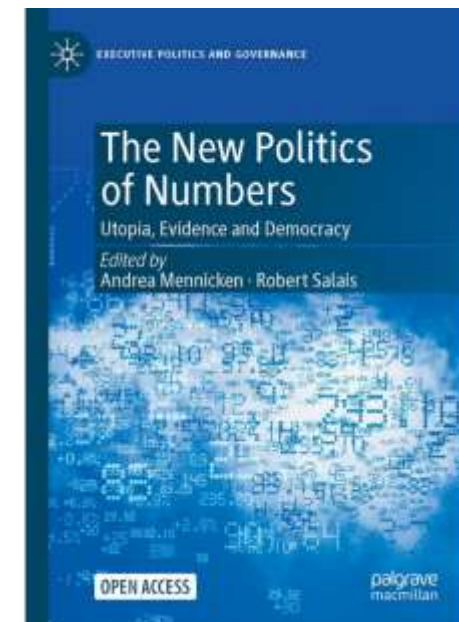
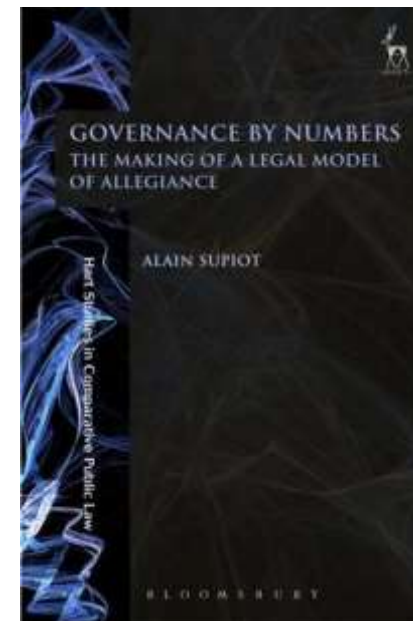
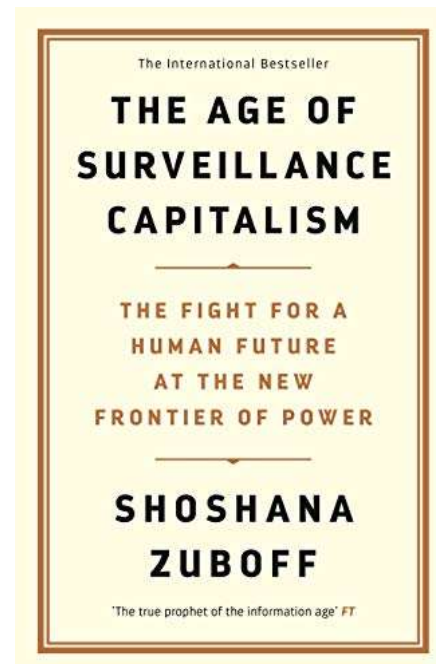
An army of self-proclaimed ‘fact checkers’ becomes mobilized in the defence of a neoliberal and conservative credo, posing as victims of an assault on science perpetrated by the purported enemies of reason



Strategies so *rapides et inédites*



New powerful instruments such as the use of AI and algorithms in combination with cognitive psychology and the new social media to influence the behaviour of consumers / voters



The End



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Readings

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