

Regulatory practices as dialogical activities

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Abstract:

Risk toleration in regulatory practice is a key issue in our research about organizational factors of ordinary risk at work.

This paper relates an empirical research which is conducted in a construction firm. Our methodology, a cooperative inquiry, is based on a reflexive analysis of activity. As co-researchers, we catalyze a collective analysis of activity with the process's actors themselves.

In our dialogical approach of collective activity, activities are interdependent; they are always “addressed” to others. These interactions are mediated by instruments. For instance, a language, a schedule or a rule is enacted and interpreted during action to make sense collectively. Therefore, we analyze regulatory practices as dialogical activities which design the instruments to be engaged in other activities. For instance, in a construction project design, safety rules could mediate interactions between method planners and foremen. Or, during actual construction, the same safety rules can mediate interactions between foremen and work inspectors. In both cases, the interpretations of one same rule are rather different: depending on the context, it might be used to design risk out before irreversible decisions are

made, or it might be used to try and control risk out during production. In other fields, speed limits could be used in car design instead of speed controls on freeways; anti-pollution laws can be used in networks' public transportation design, etc.

In the first part, we demonstrate that regulations should not be seen as substitutes to individual initiative; they should be seen as an instruments engaged in activity. Even an activity very strongly submitted to regulations lives room for initiatives.

Then we use theoretical and empirical material to illustrate that the social and temporal frame of activity in which a regulatory practice takes place is at least as important as the substance of the regulation itself. Two cases taken from the construction industry show how to enact regulations aimed at designing risk out instead of controlling risk out during activity by changing the social and temporal frame of design activities.

Finally we discuss regulatory practices which could contribute to these changes, like a regulation which requires construction project designers to visit sites and get direct feedback from the actual implementation of specific construction methods.