

Corporations, Crime and Accountability



Theories of institutional design

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Social scientists have rediscovered institutions. They have been increasingly concerned with the myriad ways in which social and political institutions shape the patterns of individual interactions which produce social phenomena. They are equally concerned with the ways in which those institutions emerge from such interactions.

This series is devoted to the exploration of the more normative aspects of these issues. What makes one set of institutions better than another? How, if at all, might we move from a less desirable set of institutions to a more desirable set? Alongside the questions of what institutions we would design, if we were designing them afresh, are pragmatic questions of how we can best get from here to there: from our present institutions to new revitalised ones.

Theories of institutional design is insistently multidisciplinary and interdisciplinary, both in the institutions on which it focuses, and in the methodologies used to study them. There are interesting sociological questions to be asked about legal institutions, interesting legal questions to be asked about economic institutions, and interesting social, economic and legal questions to be asked about political institutions. By juxtaposing these approaches in print, this series aims to enrich normative discourse surrounding important issues of designing and redesigning, shaping and reshaping the social, political and economic institutions of contemporary society.



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Preface

As one might expect of a work on accountability for corporate crime, this enterprise has implicated more than the usual range of suspects. Conspiracies have multiplied, much to our grateful advantage.

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Abbreviations

BCCI Bank of Credit and Commerce International

CIA Central Intelligence Agency (US)

CML Colonial Mutual Life Assurance Society Ltd

DEA Drug Enforcement Agency (US)
DPP Director of Public Prosecutions

EC European Community

FBI Federal Bureau of Investigation (US) FDA Food and Drug Administration (US)

HBLRs Harm-Based Liability Rules HBLR(P)s Penal Harm-Based Liability Rules NSW New South Wales (Australia)

SEC Securities and Exchange Commission (US)

SOPs standard operating procedures

UK United Kingdom US United States

Abbreviations in Footnotes and Bibliography

ABA American Bar Association

AC Appeal Cases

AGPS Australian Government Publishing Service

ALR Australian Law Reports

ATPR Australian Trade Practices Reporter

BNA Bureau of National Affairs
CLR Commonwealth Law Reports
CMLR Common Market Law Reports

FLR Federal Law Reports

FTC Federal Trade Commission (US)

NJ New Jersey

NSWLR New South Wales Law Reports

NY New York

NYT New York Times

NZ New Zealand

NZLR New Zealand Law Reports
SMH Sydney Morning Herald

UK United Kingdom
US United States
USC US Code

VR Victorian Reports
WSJ Wall Street Journal

WSJE Wall Street Journal Europe