**Research Seminar**


Vellah Kedogo Kigwiru  
Hochschule für Politik/TUM School of Governance

The proliferation of supranational regional competition regimes (RCRs) in Africa is recently attracting scholarly attention. In addition to constrained capacity and capability, these RCRs have faced backlash from some of their constituencies. This paper, focusing on the COMESA Competition Commission (CCC), seeks to provide a prism through which young RCRs can build authority through interaction with various actors. I argue that as competition policy is inherently political, technical, and novel, young RCRs in Africa should work in concert with intermediary actors who bridge between the RCR and its constituencies. The results of this study call for nuanced analyses of institutional development, focusing on institutional design, institutional configurations, actors' capacity and capabilities, the policy under investigation, and most importantly, the political implications of actors' preferences.

Vellah Kedogo Kigwiru, an advocate of the High Court of Kenya, is currently a Doctoral Research Fellow at the Technical University of Munich’s (TUM) School of Governance and a Guest Researcher, Max Planck Institute for Innovation and Competition, Munich Germany. Kigwiru’s research interests focuses on competition law and policy in developing countries. She has recently published with the Manchester Journal of International Economic Law and the African Journal of International Economic Law.

**The Protectionist Politics of Globalized Regulatory Enforcement: Evidence from Cartel Prosecutions Involving Foreign Firms**

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Economic globalization has created new opportunities for economic patriotism, or the promotion of local prerogatives in integrated markets. However, few scholars have investigated whether regulatory enforcement is systematically used as a tool of economic protectionism. In this article, I empirically investigate whether foreign firms face stiffer sanctions than domestic firms when they commit similar regulatory violations. Using a database of 5,000 cartel sanctions from 1990-2019, I develop novel fine severity measures that account for differences in the size and gravity of cartel activity. Multi-level regression models show that foreign firms receive fines that are 100-150% more severe than similarly situated domestic firms. Judicial review, independent competition agencies, and transnational regulatory networks do not moderate these tendencies. The analysis suggests that globalization regulatory enforcement is used to disadvantage territorial outsiders and that foreign discrimination occurs even in highly technocratic and internationalized areas of regulation.

Dr. Chase Foster is a postdoctoral researcher and lecturer at the Hochschule für Politik München. Foster’s research is in comparative political economy, with a particular focus on the politics of economic law and regulation. He earned his PhD in Government (Political Science) from Harvard University. More information can be found at www.chasefoster.com.

**Hochschule für Politik München - Virtual Seminar Room**  
https://tum-conf.zoom.us/j/97700524529  
Please email Tim Büthe <buthe@hfp.tum.de> for the password to access the room.

22 July 2021 – 12:00 - 14:00