1996

Contents
INTRODUCTION

Some Reflections on the Federalism Debate
Peter H. Schuck ........................................ 1

ENVIRONMENTAL REGULATION

Externalities and the Matching Principle: The Case for Reallocating Environmental Regulatory Authority
Henry N. Butler and Jonathan R. Macey .................. 23

The Race to Laxity and the Race to Undesirability: Explaining Failures in Competition Among Jurisdictions in Environmental Law
Peter P. Swire ........................................ 67

WELFARE POLICY

Devolution’s Price
Paul E. Peterson ............................................... 111

Welfare Reform and the Cooperative Federalism of America’s Public Income Transfer Programs
Stephen D. Sugarman ............................................... 123

THEORETICAL PARADIGMS

Turning Federalism Inside Out: Intrastate Aspects of Interstate Regulatory Competition
Daniel B. Rodriguez ............................................... 149

The Race to the Bottom in a Federal System: Lessons from the World of Trade Policy
Alvin K. Klevorick ............................................... 177

Differing Paradigms, Similar Flaws: Constructing a New Approach to Federalism in Congress and the Court
Mark C. Gordon ............................................... 187
HISTORICAL ROOTS

Redesigning the Architecture of Federalism—An American Tradition: Modern Devolution Policies in Perspective
Harry N. Scheiber .................................. 227

INDIVIDUAL RIGHTS

Block Grants, Entitlements, and Federalism: A Conceptual Map of Contested Terrain
Jerry L. Mashaw and Dylan S. Calsyn .................. 297

Federalism and the New Rights
R. Shep Melnick .................................... 325

Commentary: Block Grants and the Meaning of Entitlements
Colleen M. Grogan .................................. 355

TORTS

Assessing the Adequacy of State Products Liability Lawmaking
Gary T. Schwartz .................................. 359

Testing Two Assumptions About Federalism and Tort Reform
Thomas A. Eaton and Susette M. Talarico .............. 371

A Perspective on Federalism and Medical Malpractice
James E. Blumstein .................................. 411

Tort Law and Federalism: Whatever Happened to Devolution?
Robert M. Ackerman .................................. 429

AFTERWORD

Federalism's Options
Judith Resnik ...................................... 465

Copyright © 1996 by the
Yale Law & Policy Review/Yale Journal on Regulation