
CONTENTS

Preface vii

Introduction: Two Tragedies 1

Part One The Evolving Social Bargain

ONE The Laissez Faire Benchmark 13

TWO Freedom Reined: The Progressive Era
Through the Public Interest Era 18

THREE Freedom, Responsibility, and Accountability 27

Part Two Preparing for the Laissez Faire Revival

FOUR The Intellectual and Financial Foundations 35

FIVE The Idea Infrastructure 41

SIX The Influence Infrastructure 57

Part Three The Laissez Faire Revival

SEVEN The Assaults on Regulation 67

EIGHT Worker Safety 84

NINE Environmental Protection 99

TEN Drug and Device Safety 118

ELEVEN Food Safety 133

T W E L V E Transportation Safety 147
T H I R T E E N Financial Protection 164
F O U R T E E N Consumer Protection 183
F I F T E E N Civil Justice 197

Part Four Renegotiating the Social Bargain

S I X T E E N Disabled Government 217
S E V E N T E E N Patch-and-Repair 232
E I G H T E E N Striking a New Bargain 264
N I N T E E N Conclusions 286

Notes 293

Index 377