LAW AND NEW APPROACHES TO GOVERNANCE IN THE EUROPEAN UNION AND THE UNITED STATES

Table of Contents

Introduction: New Governance, Law and Constitutionalism
Gráinne de Búrca and Joanne Scott

Part I: New Governance, Law and Constitutionalism

1. Constitutionalism and New Governance in the European Union: Rethinking the Boundaries
   Neil Walker
2. Toyota Jurisprudence: Legal Theory and Rolling Rule Regimes
   William H. Simon
   David M. Trubek, Patrick Cottrell and Mark Nance

Part II: Building Theory from the Bottom Up: Case Studies on New Governance, Law and Constitutionalism

(i) Europe

4. EU Race Discrimination Law: A Hybrid Model?
   Gráinne de Búrca
5. New EU Employment Governance and Constitutionalism
   Claire Kilpatrick
6. Solidarity: Is it, Can it or Should it be a Tool of New Governance in the Field of Social Policy?
   Catherine Barnard
7. The European Union and the Governance of Health Care
   Tamara K. Hervey
8. Law and New Environmental Governance in the EU
   Joanne Scott and Jane Holder

(ii) United States

   Louise G. Trubek
10. Beyond Experimentation: Governing Occupation Safety in the United States
    Orly Lobel
11. Information-Forcing Regulation: Penalty Defaults, Destabilization Rights, and New Environmental Governance
    Bradley C. Karkkainen
12. New Governance and the Architecture of Learning, Mobilization and Accountability: Lessons from Gender Equity Regimes
   Susan Sturm

   (iii) the political and constitutional contexts compared

   Paul Magnette and Justine Lacroix

14. New Institutional Structures of Governance and American Political Development
   Mark Tushnet

   Epilogue
   Charles F. Sabel