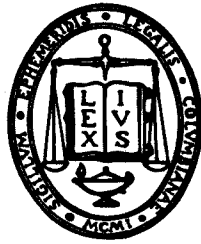


# COLUMBIA LAW REVIEW



## ARTICLES

PROGRESSIVITY AND POTENTIAL INCOME:  
MEASURING THE EFFECT OF CHANGING WORK  
PATTERNS ON INCOME TAX PROGRESSIVITY

*Chris William Sanchirico*

MARKET DAMAGES, EFFICIENT CONTRACTING,  
AND THE ECONOMIC WASTE FALLACY

*Alan Schwartz  
Robert E. Scott*

## NOTES

WALKING THE FEDERALIST TIGHTROPE: A NATIONAL  
POLICY OF STATE EXPERIMENTATION FOR  
HEALTH INFORMATION TECHNOLOGY

AN UNINTENDED DOUBLE STANDARD OF LIABILITY:  
THE EFFECT OF THE WESTFALL ACT ON THE  
ALIEN TORT CLAIMS ACT

## ESSAY

HUMAN WELFARE, NOT HUMAN RIGHTS

*Eric A. Posner*

# COLUMBIA LAW REVIEW

VOL. 108

NOVEMBER 2008

NO. 7

## CONTENTS

### ARTICLES

PROGRESSIVITY AND POTENTIAL INCOME:  
MEASURING THE EFFECT OF CHANGING  
WORK PATTERNS ON INCOME TAX  
PROGRESSIVITY *Chris William Sanchirico* 1551

MARKET DAMAGES, EFFICIENT CONTRACTING,  
AND THE ECONOMIC WASTE FALLACY *Alan Schwartz* 1610  
*Robert E. Scott*

### NOTES

WALKING THE FEDERALIST TIGHTROPE:  
A NATIONAL POLICY OF STATE  
EXPERIMENTATION FOR HEALTH  
INFORMATION TECHNOLOGY *Benjamin J. Beaton* 1670

AN UNINTENDED DOUBLE STANDARD  
OF LIABILITY: THE EFFECT OF THE  
WESTFALL ACT ON THE ALIEN  
TORT CLAIMS ACT *Karen Lin* 1718

### ESSAY

HUMAN WELFARE, NOT HUMAN RIGHTS *Eric A. Posner* 1758