



1996

# Contents

Follow this and additional works at: <https://digitalcommons.law.yale.edu/ylpr>



Part of the [Law Commons](#)

### Recommended Citation

*Contents*, 14 YALE L. & POL'Y REV. (1996).

Available at: <https://digitalcommons.law.yale.edu/ylpr/vol14/iss2/1>

This Article is brought to you for free and open access by Yale Law School Legal Scholarship Repository. It has been accepted for inclusion in Yale Law & Policy Review by an authorized editor of Yale Law School Legal Scholarship Repository. For more information, please contact [julian.aiken@yale.edu](mailto:julian.aiken@yale.edu).

---

---

# **Yale Law & Policy Review**

## **Yale Journal on Regulation**

---

Symposium Issue, 1996

---

### **INTRODUCTION**

<b>Some Reflections on the Federalism Debate</b>	
<i>Peter H. Schuck</i> . . . . .	1

### **ENVIRONMENTAL REGULATION**

<b>Externalities and the Matching Principle: The Case for Reallocating Environmental Regulatory Authority</b>	
<i>Henry N. Butler and Jonathan R. Macey</i> . . . . .	23
<b>The Race to Laxity and the Race to Undesirability: Explaining Failures in Competition Among Jurisdictions in Environmental Law</b>	
<i>Peter P. Swire</i> . . . . .	67

### **WELFARE POLICY**

<b>Devolution's Price</b>	
<i>Paul E. Peterson</i> . . . . .	111
<b>Welfare Reform and the Cooperative Federalism of America's Public Income Transfer Programs</b>	
<i>Stephen D. Sugarman</i> . . . . .	123

### **THEORETICAL PARADIGMS**

<b>Turning Federalism Inside Out: Intrastate Aspects of Interstate Regulatory Competition</b>	
<i>Daniel B. Rodriguez</i> . . . . .	149
<b>The Race to the Bottom in a Federal System: Lessons from the World of Trade Policy</b>	
<i>Alvin K. Klevorick</i> . . . . .	177
<b>Differing Paradigms, Similar Flaws: Constructing a New Approach to Federalism in Congress and the Court</b>	
<i>Mark C. Gordon</i> . . . . .	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 F. Blumstein* . . . . . 411
- Tort Law and Federalism: Whatever Happened to Devolution?**  
*Robert M. Ackerman* . . . . . 429

## AFTERWORD

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

