The Fraud Control Game

State Responses to Fraud and Abuse in AFDC and Medicaid Programs

By John A. Gardiner and Theodore R. Lyman

Describes and analyzes efforts at the state level to control fraud and abuse in Medicaid and AFDC.

It will interest those specializing in welfare policy, public administration, and policy implementation and evaluation, and practitioners who set and implement welfare policy. \$24.95



A Capacity to Punish

The Ecology of Crime and Punishment

By Henry N. Pontell

"... must be added to the reading lists of scholars and practitioners interested in the operation of the criminal justice establishment..."
—Justice Quarterly

cloth \$19.50 paper \$9.95

On the Take

From Petty Crooks to Presidents

By William J. Chambliss

"... the book reads with the ease of an action-filled, best-selling novel... a worthy and refreshing addition to the otherwise scholarly but dull libraries of sociologists."

—Journal of Criminal Justice

cloth \$22.50 paper \$7.95

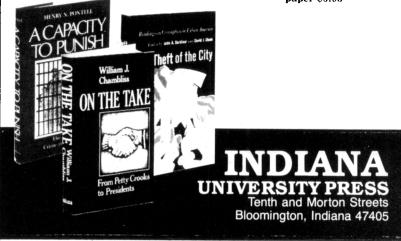
Theft of the City

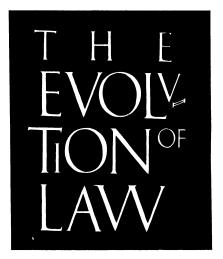
Readings on Corruption in Urban America

Edited by John A. Gardiner and David J. Olson

"... clearly contains the very best ethnographic and substantive materials
presently available
about this important
topic ... highly recommended." —Urban
Life

cloth \$15.00 paper \$6.95





by Alan Watson

In THE EVOLUTION OF LAW Alan Watson, one of the worlds's foremost scholars of Roman and comparative law, describes the nature of legal traditions and develops a general and coherent view of legal change that is independent of any particular time or place.

Watson analyzes a set of particular legal events and facts, demonstrates their significance beyond their immediate context, and generalizes from them in order to construct a model of how law evolves and changes in mature or underdeveloped systems or when two opposing legal systems — even of vastly different levels of sophistication and from different cultural roots—come into influential contact.

"The strengths of Watson's position are his unsurpassed knowledge of the many legal systems he works with and his appeal to one's common sense in the points he makes. His capacity to bridge legal theory and detailed legal history is a rare accomplishment. This is a book of outstanding importance."—Calum Carmichael, Cornell University

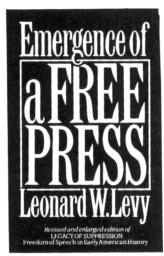
\$17.50



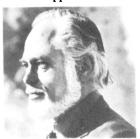
THE JOHNS HOPKINS UNIVERSITY PRESS

701 West 40th Street, Baltimore, Maryland 21211

A major revision of the classic work on freedom of the press



\$29.95 432 pp



Leonard W. Levy

What did "freedom of the press" really mean to the framers of the First Amendment and their contemporaries? This masterful book by a Pulitzer Prize-winning legal historian answers that question.

This volume is a greatly revised and enlarged edition of Levy's landmark 1960 work, Legacy of Suppression: Freedom of Speech and Press in Early American History.

In this revision, Levy has altered some of his controversial views, deepened others, provided a wealth of new detail (especially from early newspaper sources), and expanded his treatment of the famous Zenger case and the legislative history of the First Amendment.

The original book ignited a huge debate, mainly because Levy had argued that the First Amendment, as originally conceived, was not the bulwark of the free press that many thought it to be. Levy concluded then that neither the American Revolution nor the First Amendment's framers had meant to overturn the common law of seditious libel, the principal means of stifling political dissent. While retaining that basic view, Levy now notes—on the basis of additional research—that the early press was, in practice, far more vigorous in its criticisms of public officials and measures than the laws and theoretical tradition would seem to have allowed.

"An indispensable contribution to the subject." —Library Journal

"Seldom has a major constitutional scholar reversed his field under such a brilliant light...[Levy is] a fine teacher for us all."

Fred W. Friendly, New York Times Book Review

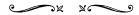
At better bookstores or order from

Oxford University Press

Box 900 • 200 Madison Avenue • New York, NY 10016

IDEALS, BELIEFS, ATTITUDES, AND THE LAW

Private Law Perspectives on a Public Law Problem



GUIDO CALABRESI

This is a fresh and insightful consideration of a most important topic—who assumes the risk in our society with reference to various basic issues? Guido Calabresi, Dean of the Yale University Law School and coauthor of *Tragic Choices*, examines the place of beliefs, attitudes, and ideals in accident law. He uses examples of how torts has dealt with different kinds of beliefs and attitudes in order to derive some insights into their significance in our system of law. He approaches the topic in common law fashion, building up from cases, hypothetical and real, rather than by working down from great principles.

Some of the specific subjects covered include social or physical disadvantages or handicaps—including "reasonable" and "unreasonable" behavior—religious beliefs, fanciful damages, psychic damages, and emotional damages. Finally, Calabresi examines the "most complicated, the most searing issue of beliefs and the law that is now before us"—the abortion question.

The Frank W. Abrams Lectures

224 pages, notes, bibliography, index

Cloth \$20.00 Paper \$11.95



SYRACUSE UNIVERSITY PRESS 1600 Jamesville Avenue Syracuse, New York 13210

Defending White-Collar Crime

A Portrait of Attorneys at Work Kenneth Mann

The first detailed description of what lawyers specializing in white-collar crime defense work do to prevent their clients from being indicted or convicted, this book raises important ethical questions about the nature of the legal profession in the United States.

"This book is the deepest and most penetrating study of working attorneys I have ever read — a rich, insightful portrait of the whitecollar defense lawyer, his dilemmas, and strategies."

—Jerome H. Skolnick \$25.00

American Violence and Public Policy

edited by Lynn A. Curtis

This Eisenhower Foundation report, the subject of numerous news stories on television and radio, updates the findings of the National Commission on the Causes and Prevention of Violence, and offers proposals for future policies.

- "An important contribution to the debate over criminal justice policy. Essential reading." —Charles Silberman, author of Criminal Violence, Criminal Justice
- "Explains thoughtfully what can be done if America wants to reduce collective and individual violence."
 —Judge A. Leon Higginbotham, Jr., U.S. Court of Appeals, Third Circuit \$23.00

Yale

Dept. 760J 92A Yale Station Yale University Press New Haven and London

Due Process in the Administrative State

Jerry L. Mashaw

As procedural due process claims against federal, state, and local administrators mount in our federal courts, it becomes increasingly necessary to find an ideal of due process that can integrate substantive and procedural rights within the context of a bureaucratic public life. Mashaw identifies earlier due process revolutions as well as three principal ways of approaching due process. He then proposes a "dignitary theory" of due process that comes closer to meeting this ideal. \$24.00

New in paperback

Bureaucratic Justice

Managing Social Security Disability Claims Jerry L. Mashaw

"Provides an unorthodox redefinition of what the administrative law that matters is, and fresh insights into why it matters and how it develops. . . . Brilliant." —Harvey C. Mansfield, Sr., Perspective \$9.95

The New American Dilemma

Liberal Democracy and School Desegregation Jennifer L. Hochschild

When traditional democratic methods are used to desegregate schools, both blacks and whites end up worse off — with little freedom and equality for blacks, much disruption and pain for both races, and few educational gains for anyone. However, says Hochschild, the evidence shows that school desegregation can succeed if rapid and extensive change is imposed by non-elected officials and without citizen involvement.

"Powerful." —David Braybrooke \$8.95

new titles from Harvard University Press

Constitutional Choices

Laurence H. Tribe

"Professor Tribe further secures his standing as the foremost constitutional thinker of our time with his insightful tour of the constitutional landscape... suggesting new ways to give our nation's most important document greater meaning in today's world."—Senator Gary Hart

A Matter of Principle

Ronald Dworkin

This book is about the interplay of urgent political issues and hotly debated questions of moral philosophy. Ronald Dworkin addresses questions about the Anglo-American legal system as protector of individual rights and as machinery for furthering the common good. \$25.00

Dangerous Offenders

The Elusive Target of Justice

Mark H. Moore, Susan R. Estrich, Daniel McGillis, William Spelman

Recent studies on the high-rate offender have urged judges to shift from rehabilitative sentencing to selective incapacitation. This book describes and analyzes the challenge posed to public officials by this new thrust in criminal policy.

\$20.00

The Federal Courts

Crisis and Reform

Richard A. Posner

"Whether or not one agrees with all his proposed solutions, Judge Posner presents a comprehensive and clear analysis of the fundamental institutional problems of the federal judicial system. The book is essential reading for those interested in maintaining a system that works fairly and judiciously."

Stephen Breyer, Circuit Judge,
United States Court of Appeals for the First Circuit
\$25.00

Law and Revolution

The Formation of the Western Legal Tradition

Harold J. Berman

Winner of the 1984 SCRIBES Book Award of the American Bar Association for the best new book on a legal subject.

"A magnificent volume, broad in scope and rich in detail; this may be the most important book on law in our generation."

— American Political Science Review \$12.95 paper

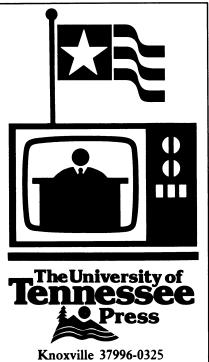
79 Garden Street, Cambridge, MA 02138

CONSERVATIVES IN COURT LEE EPSTEIN

Comparing three types of conservative interest groups, Epstein tests the validity of several widely held beliefs about the ways in which both conservative and liberal interest groups use the courts to further their aims. 216 pages. \$17.95

TELEVISION'S GUARDIANS The FCC and the Politics of Programming, 1958-1967 JAMES L. BAUGHMAN

In the 1960s, one of the most tumultuous decades in American regulatory history, a liberal FCC tried to bring a greater diversity to television programming and failed—not because of industry lobbying, but because of political opposition from powerful public officials. 328 pages. \$27.50





Recent contributions:

June, 1984

Wendell Gordon, "Role of Institutional Economics"; Marguerite Mendell, "Social Determinants of Economic Activity"; James H. Street, "Values in Conflict"; Walter C. Neale, "Technology as Social Process"; James I. Sturgeon, "Induction and Instrumentalism in Institutional Thought"; James A. Swaney, "Economists' Optimism and Nuclear Proliferation."

September, 1984

Daphne Greenwood, "Economic Significance of 'Woman's Place'"; Robert Heilbroner, "Marx, Keynes, and Schumpeter"; Robert Solo, "Industrial Policy"; Robert Delorme, "New View on Economic Theory of the State"; Rick Tilman, "Dewey's Liberalism vs. Veblen's Radicalism"; William Dugger, "Nature of Capital Accumulation."

Annual membership dues are: \$11.00 per year for three years, student; \$22.00, individual; and \$25.00, library. Add \$5.00 per year for subscriptions outside North America. Inquiries to: AFEE/JEI Fiscal Office, Department of Economics, University of Nebraska, Lincoln, NE 68588-0400.

Published by the Association for Evolutionary Economics

POLICY STUDIES JOURNAL AND POLICY STUDIES REVIEW MORE BENEFITS AT NO INCREASE IN PRICE

Each year since the founding of the *Policy Studies Journal* in 1972, *PSJ* and its sister journal, the *Policy Studies Review* have increased in quantity and quality with no increase in price. The price in 1975 was \$8 for one quarterly periodical. It is now \$16 for rwo quarterly periodicals, which means the price is still \$8 per quarterly subscription. During that time, there have been quality and quantity increases on many favorable dimensions. For example, from the 1980-81 volume to the 1981-82 volume, the following improvements occured:

- 1. An increase in **total pages** to a new high of 1,618 pages in the 1981-82 volume from a previous high of 1,264 pages in the 1980-81 volume.
- 2. An increase in the average length per quarterly issue to a high of 202 pages in the 1981-82 volume from a previous high of 158 in the 1980-81 volume.
- 3. A substantial improvement in the readability and appearance in the new September, 1982, Policy Studies Journal, thereby matching the high but also improving quality of the typesetting in the Policy Studies Review
- 4. An increase in the number of volumes in the PSO-Lexington Series to which PSJ/PSR subscribers are entitled to a 35% discount, has increased to a high of 49 volumes in mid-1982 from a high of 31 volumes at the beginning of 1981.
- 5. An increase in the average **number of articles** of all kinds to a high of 110 articles in 1981-82 from a high of 68 in 1980-81.
- 6. An increase in the **number of books reviewed** to a high of 74 in 1981-82 a high of 68 in 1980-81.
- Improvement in the quality of the symposium and non-symposium articles partly as a result of more filtering stages and more systematic peer review.
- An increase in the pages for non-symposium articles, literature reviews, and policy-studies news to a new high of 433 pages in the 1981-82 volume from a high of 357 pages in the 1980-81 volume.
- A big increase in PSO activities that are likely to benefit the policy studies field, such as the development of the Encyclopedia of Policy Studies (Marcel Dekker, 1983), Public Policy Studies: A Multi-Volume Treatise (JAI Press, 1983), and The Policy Studies Field: Its Basic Literature (JAI Press, 1983).
- 10. In general, there has been a substantial increase in benefits to PSJ/PSR subscribers over the past year while the low \$16 dues has held constant. That, in effect, amounts to a dues reduction per quantity of benefits received.

There will be further increases in PSO benefits in 1984-85 with no dues increase planned. By joining now or extending your membership, you can avoid any dues increases that might occur for as long as you extend your membership. Joining or renewing only costs \$16 a year, \$30.40 for two years, or \$44.00 for three years. With those discounts for subsequent years, the dues actually go down as the benefits go up.

U.S. POSTAL SERVICE			
STATEMENT OF OWNERSHIP, MANAGEMENT AND CIRCULATION (Required by 39 U.S.C. 3685)			
1. TITLE OF PUBLICATION		A. PUBLICATION NO. 2. DATE OF FILING	
LAW & SOCIETY REVIEW		90408	Sept. 28, 1984
3. FREQUENCY OF ISSUE		A. NO. OF ISSUES PUBLISHED ANNUALLY	B. ANNUAL SUBSCRIPTION PRICE
QUARTERLY		FOUR	\$40.00
4. COMPLETE MAILING ADDRESS OF KNOWN OFFICE OF PUBLICATION (Street, City, County, State and ZIP Code) (Not printers)			
Law and Society Association 1900 Olive Street, Denver, CO 80220			
5. COMPLETE MAILING ADDRESS OF THE HEADQUARTERS OR GENERAL BUSINESS OFFICES OF THE PUBLISHERS (Not printers) Law and Society Association			
1900 Olive Street, Denver, CO 80220			
6. FULL NAMES AND COMPLETE MAILING ADDRESS OF PUBLISHER, EDITOR, AND MANAGING EDITOR (This Item MUST NOT be blank) PUBLISHER (Name and Complete Mailing Address)			
Law and Society Association			
1900 Olive Street, Denver, CO 80220			
EDITOR (Name and Complete Mailing Address) Richard O. Lempert			
University of Michigan Law School, Ann Arbor, Michigan 48109			
MANAGING EDITOR (Name and Complete Mailing Address)			
None			
 OWNER (If owned by a corporation, its name and ac owning or holding 1 percent or more of total amoun be given. If owned by a partnership or other unincor, tion is published by a nonprofit organization, its nam 	t of stock. If not owne porated firm, its name	ed by a corporation, the names and address and address, as well as that of each indivi-	ses of the individual owners must
FULL NAME		COMPLETE MAILING ADDRESS	
Law and Society Association		1900 Olive Street, Denver, CO 80220	
KNOWN BONDHOLDERS, MORTGAGEES, AND OTHER SECURITY HOLDERS OWNING OR HOLDING 1 PERCENT OR MORE OF TOTAL AMOUNT OF BONDS, MORTGAGES OR OTHER SECURITIES (If there are none, so state)			
FULL NAME None		COMPLETE MAILING ADDRESS	
none			
FOR COMPLETION BY NONPROFIT ORGANIZATIONS AUTHORIZED TO MAIL AT SPECIAL RATES (Section 411.3, DMM only) The purpose, function, and nonprofit status of this organization and the exempt status for Federal income tax purposes (Check one)			
(1) (2) HAS NOT CHANGED DURING HAS CHANGED DURING (If changed, publisher must submit explanation of			
PRECEDING 12 MONTHS	PRECEDING 12 MONT	'HS change with this st	etement.)
10. EXTENT AND NATURE OF CIRCULA	TION	AVERAGE NO. COPIES EACH ISSUE DURING PRECEDING 12 MONTHS	ACTUAL NO. COPIES OF SINGLE ISSUE PUBLISHED NEAREST TO FILING DATE
A. TOTAL NO. COPIES (Net Press Run)		3,069	3,387
B. PAID CIRCULATION 1. SALES THROUGH DEALERS AND CARRIERS, STREET VENDORS AND COUNTER SALES		None	None
2. MAIL SUBSCRIPTION		2,574	2,643
C. TOTAL PAID CIRCULATION (Sum of 1081 and 1082)		2,574	2,643
D. FREE DISTRIBUTION BY MAIL, CARRIER OR OTHER MEANS SAMPLES, COMPLIMENTARY, AND OTHER FREE COMES		44	44
E. TOTAL DISTRIBUTION (Sum of C and D)		2,618	2,687
F. COPIES NOT DISTRIBUTED 1. OFFICE USE, LEFT OVER, UNACCOUNTED, SPOILED		424	700
AFTER PRINTING 2. RETURN FROM NEWS AGENTS			
G. TOTAL (Sum of E, F1 and 2 - should equal net press run shown in A)		None	None
		3,042	3,387
in I certify that the statements made by me above are correct and complete	MANAGER, OR	Storling	Executive Officer

https://doi.org/10.1017/S0023921600017965 Published online by Cambridge University Press

Law & Society Review BASIC STYLE SHEET

All manuscripts should be typed double spaced on one side only. Rejected manuscripts cannot ordinarily be returned. While manuscripts need not conform to this style sheet at the time of submission, all manuscripts must include footnotes and a list of references, and all accepted manuscripts must be revised by the author to conform to the style of the Review. The rules listed below supplement the manuscript information on the inside front cover of the Review. Authors are urged to consult recent issues of this journal for further illustrations. A more detailed style sheet is available from the editorial office.

1. CITATIONS: All notes that consist merely of supporting citations should be placed in parentheses in the text. They should follow the statement they support and be in the following style:

(last name of author, year: page number or numbers to which you refer, if any)

EXAMPLE: . . . the opposition in Paris (Rudé, 1967: 167).

- 2. FOOTNOTES: All footnotes should be numbered sequentially and placed immediately after the text. They should contain only substantive comments and additional references not immediately relevant to the text.
- 3. REFERENCES: References are to be placed at the end of the manuscript. For more than one publication by the same author, list them in chronological order beginning with the oldest. For more than one publication in one year by the same author, use small letters to distinguish them (e.g., 1970a; 1970b).
 - a. BOOKS: LAST NAME, First name (year) *Title of book*. City: Publisher.
 - EXAMPLE: ARNOLD, Thurman W. (1935) The Symbols of Government. New York: Harcourt, Brace and World.
 - b. ARTICLES: LAST NAME, First name (year) "Title of article," volume number *Journal* initial page of article (month and day only if each issue is separately paginated).
 - EXAMPLE: STERN, Curt (1970) "The Continuity of Genetics," 99 Daedalus 882.
- 4. TABLES AND FIGURES: Tables should approximate the appearance of printed tables. Figures should be camera ready. Tables and/or figures should be placed at the end of the text, after footnotes and references. Their location within the text should be indicated as follows:

Table 1 about here

5. ABSTRACTS: All articles should include an abstract of between 50 and 100 words.

LAW AND SOCIETY ASSOCIATION

OFFICERS

PRESIDENT: Marc Galanter, Law, University of Wisconsin

PRESIDENT-ELECT: Stewart Macaulay, Law, University of Wisconsin

SECRETARY: Jonathan D. Casper, Political Science, University of Illinois

TREASURER: Lynn M. Mather, Political Science, Dartmouth College

EDITOR, Law & Society Review: Richard O. Lempert, Law, University of Michigan, Ann Arbor

EXECUTIVE OFFICER: Joyce S. Sterling, University of Denver College of Law

BOARD OF TRUSTEES

Class of Albert W. Alschuler, Law, University of Colorado, Boulder Howard S. Erlanger, Law, University of Wisconsin, Madison Joel F. Handler, Law, University of Wisconsin, Madison 1984

Keith O. Hawkins, Centre for Socio-Legal Studies, Wolfson College,

Douglas Hay, Law, Warwick University, Coventry Robert L. Kidder, Sociology, Temple University Sally E. Merry, Anthropology, Wellesley College

Christopher D. Stone, Law, University of Southern California

Richard A. Berk, Sociology, University of California, Santa Barbara Class of 1985 Robert W. Gordon, Law, Stanford University

Carol J. Greenhouse, Anthropology, Cornell University Anne M. Heinz, Political Science, Northwestern University

Milton Heumann, Political Science, Rutgers University, New Brunswick

Albert J. Reiss, Jr., Sociology, Yale University Austin T. Turk, Sociology, University of Toronto Stanton Wheeler, Law and Sociology, Yale University

Class of Barbara A. Black, Law, Yale University 1986

Maureen E. Cain, Institute of Criminology, Cambridge Christine Harrington, Politics, New York University Jack Katz, Sociology, University of California, Los Angeles Carrie Menkel-Meadow, Law, University of California, Los Angeles Sheldon L. Messinger, Law, University of California, Berkeley Susan Rose-Ackerman, Law, Columbia University

Barbara Yngvesson, Anthropology, Hampshire College

Ex Officio **Immediate Past Editor:**

Joel B. Grossman, Political Science, University of Wisconsin, Madison

Past Presidents: Harry Ball, Sociology, University of Hawaii Lawrence M. Friedman, Law, Stanford University Herbert Jacob, Political Science, Northwestern University Charles D. Kelso, McGeorge School of Law, University of the Pacific Samuel Krislov, Political Science, University of Minnesota Victor G. Rosenblum, Law, Northwestern University Richard D. Schwartz, Law, Syracuse University Robert B. Yegge, Law, University of Denver