

ELECTION 2000: POINT / COUNTERPOINT SERIES

Each issue of Volume 148 will include two essays—in the form of a point/counterpoint debate—on a subject related to law and the American political system. We have developed this series in an effort to raise the level of civic discourse during an election cycle critical to our nation’s future. Issue 1 featured a debate about law professors and political advocacy, and Issue 2 focused on public financing of political campaigns.

As we are now in the midst of the primary season, the third exchange in our series addresses the issue of urban sprawl. Clint Bolick and Timothy Dowling were asked to debate the need for, and constitutionality of, measures to restrain development at the edges of America’s metropolitan areas.

Vice President Al Gore has highlighted urban sprawl and has made “smart growth” an important issue in his campaign. In a provocative discussion, Clint Bolick of the Institute for Justice cautions against government policies that subsidize sprawl. He maintains, however, that controlling growth through land-use regulations is both undesirable as a policy matter and inconsistent with the Fifth Amendment’s Takings Clause. Timothy Dowling of the Community Rights Counsel responds that regulations to combat sprawl are necessary and consistent with longstanding traditions of restricting land use. He further argues that the Takings Clause does not forbid state and local governments from regulating land use to combat sprawl.

The remaining issues of Volume 148 of the *University of Pennsylvania Law Review* include discussions of the following topics:

Issue 4: Regulation of Guns as Consumer Products

Issue 5: War Powers Act

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