

EDITOR

Peter VanDoren

MANAGING EDITOR

Thomas A. Firey

DESIGN AND LAYOUT

David Herbeck Design

CIRCULATION MANAGER

Alan Peterson

EDITORIAL ADVISORY BOARD

CHAIRMAN

William A. Niskanen, *Chairman of the Cato Institute*

David Bradford, *Professor of Economics and Public Affairs, Woodrow Wilson School, Princeton University*

Philip Cole, *Professor of Epidemiology, University of Alabama*

William A. Fischel, *Professor of Economics, Dartmouth College*

H.E. Frech III, *Professor of Economics, University of California, Santa Barbara*

Richard L. Gordon, *Professor Emeritus of Mineral Economics, Pennsylvania State University*

Robert W. Hahn, *Director, AEI-Brookings Joint Center for Regulatory Studies*

Scott E. Harrington, *Professor of Insurance and Finance, University of South Carolina*

James J. Heckman, *Henry Schultz Distinguished Service Professor of Economics, University of Chicago*

Joseph P. Kalt, *Ford Foundation Professor of International Political Economy, John F. Kennedy School of Government, Harvard University*

Randall S. Kroszner, *Professor of Economics, University of Chicago*

John R. Lott Jr., *Research Affiliate, Yale Law School*

Michael C. Munger, *Professor of Political Science, Duke University*

Robert H. Nelson, *Professor of Public Affairs, University of Maryland*

Sam Peltzman, *Sears, Roebuck Professor of Economics and Financial Services, University of Chicago*

George L. Priest, *John M. Olin Professor of Law and Economics, Yale Law School*

Paul H. Rubin, *Professor of Economics and Law, Emory University*

Jane S. Shaw, *Senior Associate, Political Economy Research Center*

S. Fred Singer, *President, Science and Environmental Policy Project*

Fred Smith Jr., *President, Competitive Enterprise Institute*

V. Kerry Smith, *University Distinguished Professor, North Carolina State University*

Pablo T. Spiller, *Joe Shoong Professor of International Business, University of California, Berkeley*

Richard L. Stroup, *Senior Associate, Political Economy Research Center, and Professor of Economics, Montana State University*

W. Kip Viscusi, *Cogan Professor of Law and Economics, Harvard Law School*

Richard Wilson, *Mallinckrodt Professor of Physics, Harvard University*

Clifford Winston, *Senior Fellow in Economic Studies, The Brookings Institution*

Benjamin Zycher, *Senior Economist, RAND*

PUBLISHER

Edward H. Crane

REGULATION was first published in July 1977 "because the extension of regulation is piecemeal, the sources and targets diverse, the language complex and often opaque, and the volume overwhelming."

REGULATION is devoted to analyzing the implications of government regulatory policy and the effects on our public and private endeavors.

For the Record

Unearthing Archaeology's Purpose

Richard L. Stroup and Matthew Brown's proposal that archaeological sites would be better preserved if there were free and open markets in artifacts ("Selling Artifacts," *Regulation*, Vol. 23, No. 4) is based on misunderstandings of archaeological methods and of the nature of archaeological resources. They seem to think that the focus of archaeologists' attention is the same as that of collectors, i.e., on individual artifacts. In fact, archaeological analysis is based not on examination of particular artifacts taken by themselves, but rather on the study of entire archaeological sites, including whatever artifacts they contain.

Unlike collectors, archaeologists value artifacts according to their ability to yield information about prehistory rather than their aesthetic appeal. In order for artifacts to yield such information, they must be excavated with careful attention to context, including details of soil composition, stratigraphy, and the preservation of datable materials. Artifacts that are removed from their contexts without such care yield little or no information about prehistory and, regardless of how high a price they might fetch on the open market, are scientifically worthless.

Unless collectors could somehow be convinced to consistently value artifacts excavated by reputable archaeologists using up-to-date techniques over artifacts obtained by pothunters, it seems unlikely that the free and open market called for by Stroup and Brown would do anything more than encourage the destruction of sites—and the loss of information about prehistory.

Stroup and Brown also fail to appreciate the fact that there is a fixed and limited supply of archaeological sites and artifacts. Unlike forests, wildlife, or other natural populations, culling does not increase their numbers and they do not

regenerate. Unlike manufactured objects, increased demand does not stimulate their greater production, although it can create a brisk trade in fakes. Therefore, applying a strict microeconomic model in order to maximize their collection can only be harmful. Although it is illegal, a de facto free trade in antiquities already exists in Peru, Mexico, and many other parts of the world and the resulting destruction of the archaeological record has been catastrophic.

Though we welcome proposals for the expansion of the free market into new spheres, we fear that the main effect of such proposals that are made without full recognition of the special characteristics of the goods in question will be to undermine, rather than enhance, the broader case for economic freedom.

LEE CRONK

*Associate Professor of Anthropology
Rutgers University*

D. BRUCE DICKSON

*Professor of Anthropology
Texas A&M University*

Air Quality's Benefactors

Matthew E. Kahn's discussion of the effects of cleaner air in the Los Angeles basin adds an interesting twist to the debate over environmental justice ("The Beneficiaries of Clean Air Regulation," *Regulation*, Vol. 24, No. 1).

While air pollution levels in predominantly black and Hispanic areas were markedly higher than in white neighborhoods in 1980, Kahn's analysis shows that the gap has closed considerably over the past two decades. The improvements in air quality in the Los Angeles basin, he notes, are primarily

the result of expensive anti-pollution devices on newer cars, purchased mostly by the area's more affluent residents. Inner city residents, it turns out, are the chief beneficiaries of the increasingly successful efforts to deal with the L.A. basin's chronic air quality problems. I strongly suspect that Professor Kahn could find similar patterns in other urban areas, as the rising tide of tech-

nology-driven air-quality improvements lifts all boats, including those anchored in inner cities.

The Environmental Protection Agency, which is still mulling over a set of environmental justice policies designed to "protect" minorities from pollution, would do well to take note of developments in Los Angeles and elsewhere. As is so often the case, the prob-

lem it has decided to address appears well on its way to being solved. This is happening without the restrictions on business and industrial activities in minority communities, which are at the heart of EPA's proposals to bring about environmental justice.

BONNER R. COHEN
Lexington Institute
Arlington, Va.

Regulation

“ I have read the magazine for years, and for the same reason: It provides the best and most thoughtful coverage of our shadow-government, the regulators. I keep it. I clip it. Keep it coming!”

—TONY SNOW, *Fox News*

REGULATION is quite simply the preeminent journal dealing with regulatory policy issues, ranging from environmental law, banking, and trade to antitrust, labor, and telecommunications.

Four times a year, REGULATION's leading policy experts analyze the twists and turns of regulations, how they work and don't work, and their economic impact.

YES! I need the best analysis of regulatory policy.

1 year (4 issues) \$30 2 years (8 issues) \$50 3 years (12 issues) \$70

Check enclosed (*payable to Cato Institute*) Charge my: Visa MasterCard Amex

Account No. _____

Exp. Date _____

Signature _____

Name _____

Address _____

City _____

State _____

Zip _____

Mail: Regulation, 1000 Massachusetts Avenue, N.W., Washington, D.C., 20001 Fax: 202-842-3490