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**SECTION:** EDITORIAL/OPINION; Pg. A10

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**HEADLINE:** We hold helpful, legitimate seminars for federal judges on environmental issues

**BODY:**

Your April 20 editorial "Justice on a junket," describing FREE's Environmental Economics and Policy Analysis seminars for federal judges, presented a distorted caricature of our program. The Washington Post article from which it was drawn made two important errors. First, it neglected the fundamental purpose of our work, exploring more effective environmental protection. Second, no funding for judges seminars comes from corporations. We accept direct support only from "deadman" foundations.

Your editorial demeaned the judiciary by implying that its members can be easily swayed. These are smart, mature, sophisticated men and women at the top of their profession. Judge Raymond Randolph describes our programs as "all business and very grueling." The lecturers - who teach at some of the nation's finest schools - are equally taxed, for they know the audience is discerning, critical and alert to shoddy arguments.

Since the first Earth Day in 1970, considerable progress has been made in environmental protection. Benefits have come from the regulatory, command and control approach; however, additional improvements are ever more costly. As a result, many (and perhaps most) environmental leaders focus on incentives promoting environmental quality, not more regulation. Here is how economic understanding can foster improvements in environmental policy. When environmental quality is expensive, people demand less. There is widespread verbal support for environmental protection "at any cost." However, when trade-offs become obvious and values compete, support erodes. Thus, economics helps judges choose among competing values.

The principle guiding the new environmentalism is to harmonize an individual's incentives with social and ecological well-being. The concepts of property rights, trade-offs and opportunity costs are central in this literature. This is the material, much by Nobel Prize winners, we offer to federal judges in the seminar series that was the subject of your editorial.

The Post story confused my classical liberal, pro-market process position with that advocated by those who support subsidized exploitation of the environment (e.g., below-cost timber sales on the national forests). My published work has stressed the importance of removing just such subsidies that encourage ecological exploitation. My position is supported by many environmental leaders. Only the beneficiaries of subsidies, their clientele and those who miss clear distinctions object. In sum, we are strongly pro-environment and offer powerful environmental arguments to the judges.

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(The length limit on letters was waived to permit a fuller response to the editorial.)

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