

To control pollution, prosperity beats regulation

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For many decades, Louisiana's Gulf coast has been a center of oil and chemical plants. The region has higher-than-average rates of death from cancer, and has even been dubbed "Cancer Alley." Many people assume that the chemical plants are causing cancer along the Gulf Coast.

But the evidence does not support that assumption. In 1992, the Loui-

siana Cancer and Lung Trust Fund Board reported that the incidence rate of virtually all cancers was "at or below the national average." (The exception was lung cancer in males, but the board attributed more than 90 percent of these cancers to cigarette smoking.)

Yes, death rates from cancer were high. But the reason was not that chemical plants were inducing more cancer. If they were, cancer incidence rates would be higher. Instead, Louisiana medical authorities said, inadequate medical care, poor education, and poor nutrition were responsible.

This anecdote illustrates how easy it is for the public (and even experts) to misread information about pollution. Voter misinformation and an easy tendency to blame big, faceless corporations have spurred misguided environmental policies.

The ideology of voters has affected environmental policies as well. Those on the left of the political spectrum mistrust capitalism, so they tend to worry a lot about the risk from industrial chemicals. They emphasize the risks of chemical pollution, but minimize other risks, such as those from HIV-positive individuals in the food service or health care industries. (People on the ideological right tend to have the opposite emphasis.)

Since the ideological left has dominated public environmental policy up till now, policy has focused on industrial chemicals and their regulation. But regulation is not the only way to deal with pollution such as industrial chemical emissions or waste. **The traditional way of dealing with pollutants is by protecting rights through the courts.** People have a right not to be invaded by others, and this right against invasion includes invasion by excessive, harmful pollutants.

In the past, people went to court when they felt that pollution was causing them harm. **If the court agreed, the pollution could be stopped, and if damage had already occurred, they could receive compensation.**

This common-law approach to controlling pollution was not perfect, and in the 1970s regulation became

more attractive. People were beginning to worry that small emissions of pollutants would cause cancer in the future. Since such harm might not show up for many years, courts would be reluctant to stop legitimate activities on the grounds of speculation. One result was Superfund, a federal regulatory program that gave the Environmental Protection Agency the power to force cleanups (averaging \$30 million per site) without having to show any justification beyond "plausibly imagined" risks.

Second, while court suits can address problems between a few individuals or entities, they can't do a good job of addressing situations where many small sources (such as emissions from hundreds of thousands of automobiles) contribute to pollution. For pollutants affecting whole communities, or where large numbers of pollutants are involved, common law traditionally gave responsibility for resolving pollution problems to local governments. Gradually, however, the federal government took over environmental policy, and regulation became the voters' way of dealing with environmental problems.

But regulation doesn't determine any more accurately than the common law did whether pollution will cause cancer or other harm: it just eliminates the burden of proving the claim. And regulation doesn't necessarily deal with a myriad of sources of pollution any more efficiently.

Furthermore, by forcing wasteful expenditures, regulation can reduce prosperity by slowing the growth of wealth and income without producing commensurate environmental gains. Yet prosperity is a key to environmental improvement. Prosperity makes possible technological advances that reduce emissions of pollutants. **Air pollution was declining more rapidly in the 1950s and 1960s, before the Clean Air Act took effect, than it did after the Act was passed.**

Prosperity is the way to help the people in "Cancer Alley." With more income and greater prosperity, they can obtain the timely medical care, better nutrition, and education to improve their lives. For their sake, it's time to rethink our emphasis on pollution control through regulation.

Letters to the Editor

Of wolves and men

by Clay Hutnyak

"Oh Johnny, where are you my son?"
He must be out having some fun.
Out in the field, he played till noon
Not thinking of impending doom.
He played and played with all his toys,
Until he heard a growling noise.
He turned, and saw some big white fangs...
A wolf, it drooled with hunger pangs!
The beast was big, with razor claws
Extending from its burley paws.

John's dad, he saw the wolf and lad,
He lost his cool, he got so mad!
He grabbed his gun without delay,
And ran that he the wolf might slay.
The charging wolf was now in flight,
That he the little child might bite!
A shot rang out near their homestead,
And then the big, bad wolf fell dead.
Then Johnny ran and hugged his dad,
Father and son were very glad.

The feds found out; took Dad away,
They looked at him and said, "You'll pay!
We brought this wolf from far away,
The balance of nature to repay."
But Johnny's dad just shook his head,
He knew his son might now be dead.
The feds, they went and hugged a tree,
So that their conscience would be free.

A wolf is born, but when it dies
It cannot reach eternal skies.
T'was God told man to rule the earth,
Now tell me which has greater worth?