



Obituary

In memoriam: Peter H. Aranson, 1943–1999*

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Peter H. Aranson was born in Cambridge, Massachusetts on August 26, 1943, and grew up in Maine. He attended Bowdoin College in Maine, receiving a B.A. cum laude in Government in 1965. He earned M.A.'s in Political Science from Southern Illinois University and from Rochester, and a Ph.D. from Rochester in 1971. At Rochester, he was a student of William Riker, one of the founders of Public Choice, and Peter was always proud of this association. Peter gambled on Public Choice, a new and controversial field of study, and the gamble paid off handsomely for him and for us. As Henry Manne said in his remarks at the memorial session at the Public Choice Meetings: "These students [Bill Riker's public choice students] had to be almost obsessively intellectual to knowingly embark on a field of study that was only a small part traditional political science, a large part economics, an unusually large part mathematics, and all of which was totally anathema to the Political Science establishment." Some of his fellow students turned out to be among the leading public choice scholars, including Peter Ordeshook and Kenneth Shepsle, who provided remembrances at the memorial session at the Public Choice Meetings.

Peter had an eclectic career. He taught political science at Minnesota, management at Georgia Tech, and was associated with Henry Manne and the Law and Economics Center, first at Miami (1977–81, where I first met Peter) and then at Emory. His movement into law and economics was also a gamble at the time. This gamble also paid off. He was professor of economics at Emory, and chair of the department from 1990–1998. (I am eternally grateful to Peter: one of his first acts as chair was to hire me.) He was a successful department chair, and during his tenure the reputation of the Emory Economics Depart-

* At the 2000 meetings of the Public Choice Society in Charleston, there was a memorial session for Peter Aranson. I chaired this session; participants were Melvin Hinich, Henry Manne (by proxy), Peter Ordeshook, and Kenneth Shepsle. These remarks draw heavily on those contributions to Peter's memory.

ment grew substantially. Thus, Peter was a perfect public choice scholar. He was trained in political science but adopted economics as a discipline.

Moreover, Peter was a true economist. He taught courses in the core of the economics program. He also thought like an economist. He served on many university committees, and always analyzed and explained matters using economic analysis, even though this often led him to disagree with others (including important decision makers). At his memorial service in Atlanta, Emory's provost, Rebecca Chopp, whose academic background is in religious studies, described how Peter often influenced her in committee meetings by his skillful use of economics analysis. But, even though he often disagreed with the conventional academic wisdom, Peter was frequently invited to join committees and his opinion was widely sought. He was on about a dozen Emory Committees, and was Chair of the important Faculty Council. He was able to disagree without making enemies.

It is impossible to discuss Peter without giving prominence to his family. He was married to Donna S. Aranson. They had three children, Hannah Freda, Eli Samuel, and Jeanette Lillian, and Peter had another child, Victor Lazaron. Peter always talked about his children, and was very close to them. He was always in the office early in the morning, because he left home to take one or another of his children to school. Hannah is a graduate of Emory, and when she was in school she stopped by his office quite often – even more often than would have been explained by the standard desire of a college student for a free lunch. It was clear that they had a close and loving relationship. Every summer Peter, Donna and the kids would drive to Maine for a vacation at a family home on Crescent Lake. Peter and Donna had a large extended family in Atlanta – for a time, Peter's brother Robert was on the Emory Medical School faculty – and family events were a large part of Peter's life.

Peter had many editorial duties in his career. He was Co-Editor of *Public Choice* from 1980 to 1989, and was the first editor of the *Supreme Court Economic Review*. He was on the editorial boards of *Advances in Austrian Economics*, the *Cato Journal*, *Constitutional Political Economy*, the *Journal of Politics*, and *Public Choice*. Peter published one book, *American Government: Strategy and Choice* (Boston: Little, Brown, 1981). As far as I know, this is still the only introductory American government text to use public choice analysis. (Peter would have been happier if sales of the book had been sufficient to generate some competitors.)

When it came to writing articles and chapters, Peter was prolific. He published articles in: *Advances in Austrian Economics*; the *American Political Science Review*; *Brigham Young University Law Review*; the *Cato Journal*; *Connecticut Law Review*; *Constitutional Political Economy*; *Cornell Law Review*; *Emory Law Journal*; *Harvard Journal of Law and Public Policy*;

Journal des Economistes et des Etudes Humaines; Journal of Institutional and Theoretical Economics; Journal of Law and Politics; Journal of Policy Analysis & Management; Public Choice; and Research in Public Policy Analysis and Management. Much of Peter's writing was in book chapters, and he published about twenty chapters in books, many of which were classics in the public choice literature. He wrote about spatial models, candidate preferences and strategies, campaign finance, regulation, growth of government, taxation, income redistribution, pollution control, legislative delegation, and law and economics among many other topics. He was perhaps best known as a scholar of constitutional law, a field that nicely combined his interest in law and economics with his training on political science and public choice. (Peter's entire Vita can be found at on Emory's website at <http://www.emory.edu/COLLEGE/ECON/Aran.htm>).

Ken Shepsle described research that Peter Aranson conducted jointly with Peter Ordeshook. I borrow heavily from Ken's discussion.¹ A conventional public finance answer to the challenge of markets that fail to deliver appropriate quantities of public goods is to suggest that the State produce such goods. While this is an interesting and controversial normative proposition, there is a positive side to the discussion that Aranson and Ordeshook clarified. The positive question is to ask under what circumstances the political authorities would, in fact, produce such things. That is, what characteristics of the normal political process would lead to this normative solution to the problem of market failure? Aranson and Ordeshook note that precisely the characteristics that made for difficulties in market provision will also make it difficult for political provision. This is so because public goods, if they are provided at all, will be enjoyed by those who utilize the political process but also by those who free ride. Lobbying and other forms of activity to encourage political officials to act are costly and many will choose not to devote scarce resources to these sorts of activities. So we still have a problem, don't we? Markets and states will fail to provide public goods in optimal quantities for similar reasons. The state is not a solution to the problem; it is a victim of the problem.

But Aranson and Ordeshook pointed out that there is a supply side and a demand side. So far the discussion has been about the demand side. On the supply side, on the other hand, goods that may be public in consumption are almost surely private in production. Clean air is a public good, but those scrubbers required of stationary source polluters are private in production – a scrubber manufacturer can sell scrubbers and can exclude from their consumption those that do not pay the price for them. In short, goods public in consumption are private in production – and it is producers that will lobby, wheedle, cajole, threaten, and otherwise use the political process to have these goods produced. This is a truly political conception of public goods. It

provides something positive to say about public goods, rather than the normative pronouncements about public goods generally made by public-choice economists.

My own favorite paper of Peter's was a law and economics paper.² In this paper, Peter examined carefully claims that non-directed evolutionary processes could lead to efficiency in the common law, a topic in which I have some interest. Peter dissected six evolutionary models into their component parts, and showed the interrelationships between these models. He found that there were many crucial points at which the process could go wrong. He identified eighteen assumptions or sets of assumptions in the class of models. As a public choice scholar, in this paper Peter used this analysis to discuss the relationship between common law and statute law, and the relative inefficiency of the latter. Peter was not quite an Austrian economist, but he was a sort of fellow traveler, and this paper, like many others, had a touch of Austrian analysis as well. This was a very important paper in the literature dealing with the evolution of law.

Peter presented papers at meetings of most major political science, economics, and public choice associations, and at several Mont Pelerin society meetings. Indeed, his final presentation, "Wither the Nonprofits? Institutional Growth and Collective Action within Nonproprietary Organizations" at the Mont Pelerin Society Annual Meeting in Washington, D.C. in 1998 was posthumously awarded the annual Roe Prize for best paper on higher educational policy by the Pope Foundation of North Carolina. In this paper, he provided an explanation, based on public choice analysis, for some of the puzzling features of modern universities. He was a frequent participant at Liberty Fund conferences. He presented papers at universities all over the U.S., and also Switzerland, Germany, France, Belgium, Denmark, The Netherlands, Egypt, and Taiwan. Peter was truly a world class scholar with a worldwide reputation. At meetings and presentations, Peter was always outspoken, and always able to capture the essence of an argument. Because he was such an active contributor, he was very often asked to participate in all sorts of meetings and conferences.

Peter was active in the Jewish community of Atlanta. As a Public Choice scholar, Peter understood free riding, but was not himself a free rider; he contributed to numerous public goods. He was on many committees and boards of directors of organizations such as the Atlanta Jewish Federation, the Board of Jewish Education, and Atlanta Hillel, and he served as President of the Epstein School. He also served as Chair of the Executive Committee on Planning and Allocations of the Atlanta Jewish Federation. That meant that Peter was in charge of allocating Federation funds. I suspect that this marked a high point for using principles of marginal analysis for allocation of

religious charitable contributions. One of Peter's last pieces of research (still incomplete when he died) was a political economy analysis of the Biblical Jubilee.

So we have Peter the student, Peter the husband and father, Peter the editor and scholar, and Peter the Jewish activist. But most important was Peter the man. Peter was a big man with an imposing physical presence and a powerful air of self-confidence. But his most noticeable characteristic was his humor. Ken Shepsle described his first meeting at Rochester with Peter: "Into Room 308 of Harkness Hall – the graduate student room of the political science building – walks this rather large man, dark and swarthy, with a down-east Maine accent and booming, infectious laugh. This, of course, is how all of us met Peter and, I suspect, how all of us remember him." Peter's booming laugh and irrepressible sense of humor defined the man. He was always the source of the latest joke – even more so once the availability of e-mail enabled him to nurture and extend his many worldwide friendships. Peter could be a tiger in defending his principles or the resources of his department, but he was always underneath a kind, gentle, generous and funny man – a true mensch.

I feel a particular personal loss because Peter was a close friend and colleague. For almost ten years I saw him almost every day during the academic year, and I miss him every day that I am at Emory. But his loss was a loss to the wider community – a loss to economics, public choice, law and economics, political economy. We have lost a wonderful and clever colleague and, for those who knew him, we have lost a true friend.

Notes

1. P. Aranson and P.C. Ordeshook (1985). Public interest, private interest, and the democratic polity. In R. Benjamin and S. Elkin (Eds.), *The democratic state*, 87–177. Lawrence: The University Press of Kansas.
2. Economic efficiency and the common law: A critical survey. In G. Skogh and J.M. Graf on der Schulenberg (Eds.), *Law and economics and the economics of legal regulation*, 51–84. Boston: Kluwer Academic Publishers (1986).

