

Hard questions for antitrust researchers

- Assume we never had antitrust law. What would the economy look like today?
- Assume we abolish antitrust law. What will the economy look like in 2030?
- You are Senator Sherman, but in 2030. What would your antitrust law look like?
- Should antitrust rules be proscriptive only?
- Do all market economies need the same antitrust laws, tools, principles?
- Is the proposition that type I errors are worse than type II errors ideological?
- Should wealth distribution be an antitrust concern?
- What should be the goal(s) of antitrust law? Who should define it/them? When should they change? Where should it/they be stated?
- Do we draw the boundary between good competition and bad competition well, and what can be done to improve?
- Should the boundary between good and bad competition vary depending on characteristics of the firm (e.g., size, market power, industry like media, etc.)?
- Is antitrust about law enforcement or regulation?
- Would more or different presumptions improve accuracy compared to fact-finding without presumptions or existing presumptions?
- What as a practical matter can antitrust law do to improve its ability to base decisions in whole or in part on events in the future?
- If all markets were perfectly competitive, would we still have inflation?
- What is the worst infringement of antitrust law, and the least damaging?
- At what scale should we calibrate the AEC test?
- Does antitrust enforcement in a particular case have incentives properties, so it can change firm behavior in a good (Microsoft and IBM) or bad sense (false positives)?
- What are the best and the worse antitrust case in history?
- How can business and management science literature inform antitrust policy?
- Is EU competition law an upgraded version of US antitrust law? Why have antitrust policy makers in the EU not developed the additional grounds of liability provided by the Treaty (exploitative abuses and collective dominance)?
- Compare impact of common law tradition in the US v EU administrative law legacy on competition outcomes?

- Is the “great reversal” (Philippon, 2019), a plausible explanation for higher economic dynamism in the US v the EU?

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