The Federal Trade Commission: A Retrospective

By Richard A. Posner

In The Federal Trade Commission: A Retrospective, Richard Posner sketches the significant changes in the Commission since his service on the Commission's staff in the early 1960s. While noting the enormous improvements that have taken place over this span of time, Posner reiterates his concern that the positive case for an administrative agency as a supplement to the enforcement of antitrust and consumer-protection principles by the Department of Justice, state attorneys' general, and private plaintiffs remains an open one. There are theoretical doubts about the need or appropriateness of such an agency, although the Commission's recent performance creates a pragmatic case for setting those doubts to one side.