

The Answer To Broken Government Can't Be More Government

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This article from the [July 2014 edition](#) of the [IPA Review](#) is by Perth based writer, Kyle Kutasi.

In February 2011 in a little place named Franklin Township, New Jersey, a tree fell into a creek and caused a flood. It took twelve days and a \$12,000 permit to get environmental approval to pull the tree out of the creek, which only took a few minutes.

Philip K. Howard has made a name for himself in recent decades writing about the absurd outcomes that bureaucracy—particularly environmental regulation—dishes up to the citizens of the United States. Of course, these are tales from which we Australians can learn much too.

The Rule of Nobody is Howard's latest contribution to this series. It is a concise, punchy and enjoyable read, and the many examples he provides of bureaucratic monstrosity are worth a laugh.

The central argument of the book—that bureaucracy has become so pervasive that it has become a self-servicing machine, like the robot army in *The Terminator* films (my analogy, not his)—is

interesting and one that I suspect many readers of the *IPA Review* will find appealing.

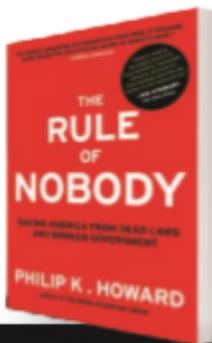
For anyone who has read Howard's earlier works, there is little new philosophy in this publication with respect to the government Leviathan. The fact that government is out of control is a well-trodden path for him. But he also appears to have been stung by past suggestions that he is some kind of Tea Party campaigner—and I suspect that just doesn't sit too well with his pretences to be a household name in the Jon Stewart and *New York Times* twitterati.

Those forces have combined to give this book a feeling that it has not only been padded out for length (it is very repetitive) but also to address his critics he devises his own 'third way' between big government socialism and Tea Party libertarianism via a proposal to amend the Constitution of the US to 'empower those in authority to make decisions'.

Howard's proposal to fix a bloated bureaucracy is to give the President more powers (at the expense of Congress and the courts) because having someone unambiguously in charge will supposedly mean more common-sense application of regulation and faster decision making.

History suggests this is fantasy. For example, Gough Whitlam and Lance Barnard ran a two-man cabinet in the fortnight after Labor won the 1972 election. This duumvirate increased minimum wages, increased public subsidies for certain pharmaceuticals, made huge financial gifts to the arts community and ended diplomatic relations with Taiwan. They certainly made a lot of decisions and quickly, but common sense was nonetheless in short supply.

Our legislators write reams of regulation and pass things to committees precisely because they aren't prepared to take the risks that private actors can. A president is never going to build a bridge in the face of opposition that is attempting to save the two-toed tree frog. Politicians with such authority would likely rarely use it.



**The Rule of Nobody:
Saving America from Dead Laws
and Broken Government**

By Philip K. Howard
W.W. Norton & Company, 2014, 256 pages

But even if you could trust a president to have some common sense—a Ronald Reagan does come along once a century after all—the chances of getting such an amendment to the



Constitution approved is highly unlikely. The general public is far too wary of the potential for corruption to ever agree to laws which could be applied arbitrarily at the whim of an official. Conservatives and socialists alike would fight such a proposal vigorously.

But Howard is nonetheless right that we currently find ourselves in a malaise. Taking ten years to approve the construction of a bridge proves that the system is undoubtedly broken. The current arrangements are immensely unproductive and destroy the common wealth. But the solution has always been less, not more, government.