

It is time we regulate the regulators

By Rick Maier

IRS (Internal revenue Service), ADA (Americans with Disabilities Act), INS (Immigration and Naturalization), EPA (Environmental Protection Agency)– we have enough government TLA's (three letter abbreviations) to choke the economy. After spending billions of dollars on big government over four decades, what do we have to show? Too many rules, too many bureaucrats and too little impact.

At the rate regulations are growing, it won't be long before the government prohibits us from standing on a chair.

Years ago, I learned the folly of over-regulating while serving on a team formed to re-write the dress code at a former company. The objective was simple – to dress more relaxed but still look professional. Everyone embraced the idea, all we had to do is define the standards and enforce them consistently.

Dozens of pages of rules later, we still couldn't decide whether it was the denim or double stitched seams that turned pants into jeans. Lesson #1: rules generate more rules.

We spent an inordinate amount of time discussing and enforcing the new rules. Lesson #2: regulations can seriously dilute your productivity.

The rules got so complicated, that no one paid any attention to them. Lesson #3: people lose interest in a bunch of rules.

By the time we fine-tuned the rules, fashions and conditions changed. Lesson #4: rules must be continually revised (but seldom are).

After several months we gave up on the rules and asked each team leader to use his or her common sense. Rule #5: rules seldom go away, even when useless.

Sometime back in the 1960's America turned to writing rules and expanding government agencies in place of trusting the judgement of individuals. We took it too far and let the process become more important than the result. Despite the best of intentions, the cure is now worse than the problem.

Philip Howard writes in his book "The Death of Common Sense": "The more important question is not why government is so big – we know in our hearts that any reduction would only occur at the edges – but why, with few exceptions, it fails in even its simplest tasks."

He cites dozens of examples of worthwhile missions that are suffocated by bureaucracy. Charities can't afford to turn an old downtown building into a homeless shelter because of all the building code requirements. Pharmaceutical companies spend more time on paperwork than on research. Few contractors bid on public projects because they're so complicated. Kids can't hang artwork in their classroom because of fire codes.

We're overwhelmed with book-size instruction manuals, unreadable credit card disclosures, and inane warnings plastered on everything. The prices we pay for most products and services are packed with the cost of paperwork.

“We have invented a hybrid government form that achieves nearly perfect inertia. No one is in control. No one makes decisions. Only the massive weight of accumulated laws keeps everyone in check. The unfortunate side effect is that this modern system also crushes our goals and deadens our spirits,” said Howard.

Universal rules are almost never fair. The more precise the rules, the more mind numbing the outcome. And if the rules fail, we write new ones and enlarge the agency. Anyone who opposes regulation is tagged as favoring dirty air, unsafe conditions and abusing the less fortunate.

So what do we do?

First, we have to stop asking for more rules. The Telegraph wrote a terrific editorial back in January opposing a ban on the sale of single cans of beer. Despite the best of intentions to curb drinking and driving, Georgia legislators would simply be adding to the heap of similar laws that aren't enforced and people don't even know exist.

Second, we should streamline government. We now have a president and governor who have private sector experience, so we may have a chance for reform.

Winston Churchill said that if you aren't liberal (well intentioned, pro-government) when you're young you don't have a heart, and if you aren't conservative (free market, less government) as you get older you don't have a brain. As a nation we've gone through the big government buildup phase, now it's time to use more common sense and write fewer regulations.