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Bandow: How to limit bad government

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The lame-duck Congress suffered through its usual year-end brinkmanship before avoiding a government shutdown. Horrors! What would people do if politicians weren't able to legislate, regulate, and dictate in the "public interest"?

The traditional notion of government is that the state does for us what we cannot do for ourselves. That's typically seen as the framework of a free society — police, courts, defense, health and safety, "public" goods which otherwise wouldn't be provided.

If the state focused on its most fundamental tasks, we might notice if it closed. Unfortunately, the state has turned into something very different. It's now a welfare agency for the wealthy, a vast soup kitchen for special interests, an engine for social engineering at home and abroad, and a national nanny determined to run citizens' lives.

While the beneficiaries of programs get excited when the money disappears, no one else cares. Closing down Washington's great income redistribution racket actually would help most Americans.

Yet perhaps the most irritating, even infuriating, government activity is paternalism. What is worse than government taking your money in order to run your life?

It's the basic difference between a gang of highwaymen and Congress. The first group takes your cash and then leaves you alone. The second group empties your wallet or purse, and then insists on sticking around *for your benefit* to manage your life. Your new overseers expect not only regular payment but eternal gratitude.

Consider the campaign against smoking. I've never liked the habit. But adults are entitled to smoke cancer sticks if they want. The idea that not one restaurant or bar in a city of thousands or state of millions can allow someone to smoke is, well, outrageous, especially when people prattle on about the U.S. being a free society.

Former New York City Mayor Michael Bloomberg attempted to ban large cups of soda. He felt entitled to substitute his preferences for those of the people he was supposed to "serve."

Last month the city of Berkeley, California, became the first city to impose a special tax on drinks with sugar. No word yet on whether the tax man next will target chocolate bars, ice cream, and households lacking an elliptical trainer.

In October the city of Burien, Washington, banned body odor. Or at least too much body odor in public. Explained City Manager Kamuron Gurol, "Occasionally, people will unfortunately have such a bodily odor that it's very hard for other patrons to physically be in the same place." Are mandatory public showers next?

Around the same time the authorities in North Attleboro, Massachusetts, rejected Selectman Patrick Reynolds's request to eliminate the ban on playing ball in the street after the police broke up a game being played by friends. Responded the police chief: What would people think of the city if the community OK'd this horrid practice?

In August the state of California did something right, loosening its earlier prohibition on people bringing dogs into restaurants. Until then only service animals were allowed.

Now under a set of specific conditions — in an outdoor area, kept clean in case of an "accident," animal in a carrier or on a leash — dogs can join their owners at a meal. But why not simply leave the decision up to the restaurant?

The FDA long has been perhaps the government's deadliest paternalist, delaying the approval of life-saving drugs, thereby killing thousands of people, far more than the number of people likely saved by preventing the sale of dangerous medicines. Last year the agency outlawed mimolette cheese because mimolette rinds could contain trace quantities of cheese mites. The latter are harmless, but never mind.

When it comes to spending taxpayers' money, tossing folks into jail, and invading foreign countries, government officials instead go wild and crazy, tossing caution to the wind.

Republican Party leaders ran from the idea of a government shutdown for political reasons. It's time to shut down government activities which aren't legitimate. Like most of them.

Especially paternalism. Government should do what we can't, not what we can but which government officials believe they can do better, such as running our own lives.

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