

NOVEMBER 5, 2011

[What If Government Were More Like an iPod?](#)

By Scott Adams

Dilbert's Scott Adams on bringing democracy out of the age of wax candles and into the age of touch screens.

If Congress had a 9% approval rating while George Washington was still alive, he would have shoved his wooden dentures in his mouth, assembled a militia and marched on the Capitol. The nation's founders weren't big fans of dysfunctional governments. I'll bet we could solve our energy problem by connecting a generator to John Adams's corpse, which I assume is spinning in its grave.

NOVEMBER 11, 2011

Fisking Dilbert: Sharing my ideas at the suggestion of Scott Adams

By Dennis Sevakis

The "government" wasn't dysfunctional in the days of George Washington because the "people" weren't dysfunctional. At least not those who lived long enough to vote. Today we have a society comprised, to a large extent, of self-indulgent, over-aged adolescents. Your cable TV channel lineup alone tells a frightening story: "The Real Housewives of _____", "Desperate Housewives", "Bridezillas" and, of course, the new [Oprah Winfrey Network](#) available 24/7 for "women" of all ages and stripes. For "men" there are what must be 100+ channels of sports, "2½ Men" reruns for some free-wheeling, comedic titillation, along with enough crime shows to make one think there are only two classes of working people: cops and criminals. And let's not forget the TV doctors who seem able to cure just about anything at the drop of a hypodermic. Then there's the father & son team of custom motorcycle craftsmen featured on "[American Chopper](#)" who seem incapable, from one week to the next, of remembering how they managed to solve that pesky assembly problem featured in the last show. All of the above, of course, only scratches the surface.

However, I readily concede that "[Dog Whisperer](#)" is one of the few current-zeitgeist programs of inherent worth with socially redeeming value. And compared to today's fare, "Seinfeld" qualifies as an intellectual milestone of "Western Civilization", if that term still has any real significance. I base this, to no small extent, upon the following: the Supreme Court has judged that prohibition of internet pornography is a violation of the First Amendment. On the other hand, the Gang of Nine has concluded that the same amendment's very clear imperative that "Congress shall make no law. . ." restricting the exercise of free speech or religion doesn't really mean "no law."

Judging from our nation's generous average waistline and cable/satellite programming lineups, I must

conclude that the old Roman ruling-class interface with the populace of "[panem et circenses](#)" is still valid and fully operational.

I've heard people say the United States no longer has the caliber of intellectual giants that authored the Declaration of Independence, defeated a superior British military, crafted the Constitution and built a robot butler that would eventually run away and change its name to Mitt Romney. But that's OK, because individuals are not the primary vehicles for genius. When it comes to the larger matters of civilization, group intelligence is more important than individual genius. To put it another way: Do you know who is smarter than the entire senior class at MIT? Answer: no one.

Today, thanks to the Internet, we can summon the collective intelligence of millions. I've decided that my role is to help with the brainstorming, primarily because it's easier than living in a frozen tent and carrying a sign. (I know my limitations. I once tried reducing my number of daily showers from three to two and I felt like a dung beetle. It was awful.)

There's a reason changing our system of government is slow going. I like to think of the government as a big, complicated machine. We citizens are the users. What we've always lacked is a well-designed user interface. That's not a surprise when you consider the era in which our system was invented. Back then, the user interface for your mule involved a wooden club and language that would offend a pirate.

Voting is such a crude tool that half of the time you can't tell if you're voting against your own interests. Change can take years, worthless incumbents are hard to unseat, and elected officials routinely ignore their own campaign promises. Voting has always been a confusing and nearly random user interface for the government machine. Luckily, thanks to the Internet, we have the means to fix our government's user interface.

The [Red River Valley Fighter Pilots Association](#), aka "River Rats", is fond of reminding that "If you don't know who the world's greatest fighter pilot is, it ain't you." The same may be said of genius. But political genius isn't mostly about smarts. It's more about character, honor and wisdom. Those qualities are today in very short supply. Actually, they always have been. However, Mr. Scott does exhibit a hint of same with his Mitt Romney crack.

Again, "intelligence" is not the problem.

Here, I must vigorously disagree. Today's political and governing issues are not the result of our body politic never having had a user-friendly, graphical "interface". The problem is that those that did exist have been abrogated over the past 100+ years by constitutional amendment and court decisions.

First, consider the [17th amendment](#) that modified Article I, section 3, of the Constitution and became effective in April of 1913. Each state's senators would now be elected by popular vote rather than by the state legislatures. The whole purpose of a bicameral national legislature was thereby sidestepped: the people were to be represented by the House, the States by the Senate. It's no surprise then that Congress has little compunction about foisting unfunded mandates, taxes, or whatever upon the hapless states ever since their primary interface was

simply turned off.

Second, the primary direct interface of the people with their government and the law was at one time very direct and very effective. It's called "[jury nullification](#)" and is nowadays mostly ignored, derided, or scorned (see [here](#) & [here](#)) by the intellectual and ruling elite. In 1895, the supreme court ruled that state and local courts were not required to formally inform jurors of their power of nullification. Since that time all but three or so states have effectively eliminated the concept from their practice of jurisprudence. And those persons who are even aware of this common law principle are often woefully misinformed as to its purpose and function. As a result, we are shackled with a large portion of American law that is both tyrannical and unjust, these being precisely what jury nullification is intended to prevent.

Third, the jurisprudential operating system is seriously corrupted. [Common law](#) principles have and are being ignored. This has eliminated many of the less formal "checks and balances" that were at one time internal to the legal system and court practice. Commonly ignored is the concept of "[mens rea](#)" or "criminal intent." How can you commit a crime if you don't know you're committing a crime? "Ignorance of the law is no excuse for every man would claim it" may have, at one time, made good sense. But in today's world, with Federal law and regulation alone running to tens of thousands of pages, letting the courts ignore *mens rea* is an invitation to injustice . . . and an excellent lifetime full-employment plan for attorneys.

In similar fashion, and by means of court decisions that ignore common law principles, we are faced with a number of tyrannical practices that include, but are not limited to:

*Double jeopardy being created by prosecuting Federal "civil rights" violations even if a defendant has been exonerated at the state level.

*Entrapment resulting from police posing as underage juveniles to lure internet "predators" to

meet them for the purpose of a sexual encounter. This is prosecution for intent rather than act – thought crime, if you will.

*No-knock drug raids resulting in the death of a police officer, an innocent, or a [family pet](#), are often conducted after a warrant is obtained on the basis of testimony from informants with criminal backgrounds and/or of marginal credibility.

*Overly zealous prosecution for political purposes can be seen in the [Duke Lacrosse](#) team travesty, the purely vindictive prosecution of former publisher [Conrad Black](#), as well as Eliot Spitzer’s hatchet job on [Hank Greenberg](#) resulting in the decline of AIG even prior to the ’08 crash.

*Warrantless search of vehicles and seizure of property by officers making routine traffic stops not infrequently follow a driver being “asked” for his or her permission.

*Suppressing free speech by means of election finance law is brought to you courtesy of Soros, McCain, Bush, Pew and the Supreme Court. (See [this](#))

And so on, and so forth, almost *ad infinitum*.

Perhaps what we need is a fourth branch of government, smallish and economical, operating independently, with a mission to build and maintain a friendly user interface for citizens to manage their government. Apple could have pulled that off in its glory years, when Steve Jobs was doing all the work and his 60,000 employees filled their time spreading spiteful anecdotes about him.

Imagine being able to go to one website to see the best arguments for and against every issue, with links to support or refute every factual claim. And imagine that professional arbitrators would score each argument. A good judge can believe a defendant is guilty and still rule that the prosecutor didn't make his case. Arguments can be graded for context, accuracy

No, we don't need a fourth branch of government. Power must be wrested from the hands of the Federal government and returned to the states and to the people. The real question is “How the hell can we do this?” since the national political and legal establishments are absolutely determined to prevent it.

We already have this, but the one “website” is called the internet. Argument for or against anything is meaningless unless we all use the same system of logic. This is no longer the case since the advent of post-industrial, new-age “diversity” logic. (See [this](#) by Roger Kimball)

and logic. Citizens need that sort of help because we're not good at sorting the good arguments from the bad. Sometimes we don't even know the difference between science and magic. I'd give examples, but there's a nonzero chance Satan is real and irony attracts his attention.

The last thing I want to see is an opinion survey of people who are just as ignorant as I am. I only recently learned that the Electoral College is not where electricians go to school. I prefer knowing the opinions of people who are more knowledgeable. To that end, imagine you are prohibited from answering any voter survey questions for this new branch of government until you answer a set of questions to establish your knowledge of the topic. That way, when the results are in, citizens can filter the opinions of the ignorant from the opinions of people who actually understand the situation. I don't mind that millions of my fellow citizens think President Obama was born in Kenya. But if they think he walked here from there, I'd like to ignore any other opinions they might have.

A cleverly designed user interface could compare the positions of your elected representatives to the opinions of smart citizens who have done their homework, and to experts as well. When there's a discrepancy, and a politician goes rogue, the system would make sure every voter was aware of it. And the rogue would have an opportunity to explain his or her reasoning.

I can also imagine a constitutional ban on all election contributions for any candidate that polls above 10%. In our current system, a multibillionaire could get his own neck fat elected president if he put enough money into it. For candidates below the 10% polling level, perhaps there would be no limits whatsoever on campaign funding. That way, new candidates have a chance to break into the field.

For candidates polling above 10%, their campaigns would only be allowed to use public funding. That levels the playing field. Incumbents would typically

Forget about having "professionals" decide anything. People already rely way too much on our armies of "experts." The problem is that as a nation we spend way too little time broadly informing or seriously educating ourselves. I call this the [Sesame Street](#) syndrome: watch TV and viola! – Knowledge and understanding will result. Just let them pour it in.

You're the only one who can cure your ignorance. But it does take a fair amount of time and effort. It's just that most people are way too busy making a living or being entertained to do so. And frankly, approximately fifty percent of the electorate just doesn't seem to give a damn. At least not until fairly recently.

On the other hand, to generate interest, perhaps we need a participatory reality TV show called "American Political Idol" in lieu of primaries and elections. But wait! Wasn't that what we had with the '08 election?

Forget about experts until you make one of yourself. Then you'll know to whom to listen. How else can you possibly ferret out who's lying, who's not, or who just doesn't know what the hell they're talking about?

Ban all election finance laws. Ban TV "debates." There isn't a single issue worth discussing that can be adequately addressed with the formats used for the debates. Restrict campaigning to thirty days before the election. Have all state primaries on the same day. All political party moneys should be held at the state level. That would make the state parties truly independent since at the national level they would no longer have control over the funds.

On election day, demand photo ID that really does provide proof of citizenship before permitting

poll above 10% and no longer feel obligated to satisfy corporate donors or unions just to attract campaign funds.

In theory, the Internet could make the cost of running a campaign almost trivial by modern standards. The new user-interface branch of the government would be in charge of making it easy for voters to see video clips, interviews, debates and useful comparisons of the candidates' positions. In the modern era, it doesn't make sense for a candidate to trek all over the country in a bus. If I may be blunt, citizens who change their political views after shaking hands with a candidate, or seeing him eat grits in a diner, probably shouldn't be voting.

What about the citizens who don't have access to the Internet? We could change the constitution to make Internet access a basic right. That feels necessary for a healthy republic in the modern age.

The user interface branch of the government could also produce online debates on current topics, using the "Judge Judy" model to make it entertaining enough to engage voters. A strong judge would keep debaters on topic and demand evidence for any factual claims. That sort of show might sound boring to you, but all it needs is a judge with six-pack abs and a drinking problem, and half of America would tune in.

The most common objection to a constitutional convention is the popular belief that the Constitution is so perfectly crafted there's no room for improvement. To them, I offer a thought experiment. Imagine that Thomas Jefferson pops back to life today. Do you think he'd say the Constitution is working great? Or do you think he was the sort of guy who always thought things could be improved? (Hint 1: Monticello.) (Hint 2: The American Revolution.)

Imagine showing Jefferson the Internet. I think he'd immediately launch a start-up, design three apps and propose a new form of government that leverages social networks, all before lunch.

someone to vote. All absentee ballots must be counted. Have the voting conducted over a two-day span on a weekend. (This would require, I believe, some constitutional change.) Establish inviolable procedures to ensure overseas military ballots are counted. Voter registration rolls should be frozen at least thirty days prior to election. If you can't muster the gumption to register to vote at least a month in advance, I think you've forfeited the privilege for that election cycle.

Persons in-transit during that period vote absentee in their old district/state – or are out-of-luck for that election – and are automatically removed from their old registration roll after the current election.

Put more succinctly, the mechanics of our registration and election processes are basically nineteenth century, and as a result woefully inadequate. However, do not eliminate the paper trail! If that were done, the process would be subject to wholesale manipulation. No one but the perps would even know.

And don't forget the joke about the used Chicago voting machines that were sold to Russia after the alleged fall of Communism. Subsequently, a plebiscite in Moscow elected Richard Daley mayor.

I'm not concerned about the Constitution or the Founders. It and they are not the problem. It's the legal system that has been subverted, perverted and corrupted – Transmogrified into a tool of tyranny by both the Republicans and the Democrats. The economic and political turmoil we currently face is to a large extent the end result of a continuing, bipartisan incestuous coupling, one that concentrates a constitutionally prohibited and unimagined level of power in the hands of Washington's elite and their bureaucratic automatons.

"Government of the people, by the people and for the people" must be interpreted literally. This obviates

If James Madison came back, he'd be peeved that he was the primary author of the Constitution and we honor his memory by not caring when his birthday is. When he stopped whining about that, and noticed that the system he designed has turned into a congealed ball of lard that eats money and excretes red tape, he'd probably be more humble about his contribution.

I'm fairly certain Ben Franklin wouldn't be impressed by our pace of innovation. He invented the post office and showed us electricity, and it still took us 200 years to come up with email. We're not good at connecting the dots. The Constitution has a big red button on it labeled "update," and a guy like Franklin would have been leaning on it by now. Maybe we should use all of the tools the Founders gave us.

If you think my ideas for fixing the republic are ridiculous and impractical, you're probably right. If you have better ideas, this would be a good time to share them, because whatever you've been doing until now hasn't been working. And who knows—with hard work and some luck, someday you could be like James Madison. And by that I mean not on a coin.

—Mr. Adams is the creator of "Dilbert."

the need for experts whether or not they be Founders. "We the People" are the unwitting culprits in our being stripped of the power to govern ourselves, notwithstanding our continued adherence Constitutional form but not its intent. The results of this contradiction are all too obvious.

Bill Buckley once quipped, "I am obliged to confess I should sooner live in a society governed by the first two thousand names in the Boston telephone directory than in a society governed by the two thousand faculty members of Harvard University." Now, Buckley was a Yale man, so that may have had something to do with his aversion to the Harvard faculty. But if we continue with our aversion to self-governance because we don't trust that great sea of unwashed Americans, we have no one to blame but ourselves for our loss of freedom.

My ideas may very well seem more ridiculous and impractical than those of Mr. Adams. This assumes, of course, that to some degree you think his are. And, any attempt to address, in so short a space as this, the myriad of existential issues currently confronting we Americans, must of necessity fall short.

But then, I'm no expert.