



Dated *for* Freshness

Monuments crumble. Sequoias die. Heroes are forgotten. Fame fades. Even a Hostess Twinkie gets stale after ten or twelve years. The only things that last forever are laws.

by Dave Hitt

It doesn't matter if a law is goofy, or stupid, or downright vile. Once it's on the books, it is likely to stay there forever.

Regardless of your opinion on the Microsoft antitrust case, does it makes sense to prosecute a software company with a law that was written in the 1800's to deal with textile mills, then updated a hundred years ago to go after railroad barons? Wouldn't it be better to have more up-to-date laws dealing with the problems of our times? And if it makes sense with antitrust, why not with every other law as well?

Mandatory sentencing laws have forced judges to hand out draconian sentences for relatively minor crimes. There are reports of judges being on the verge of tears as they reluctantly sentenced someone to 25 years to life for a trivial offense, but political reality keeps them from speaking out. They know opposition to harsh sentencing would be exploited at their next election: they'd be portrayed as being soft on crime. For the same reason, reasonable Congress members (both of them) won't even mention repealing them. These laws are not set to expire. If they were, the problem would solve itself in time.

The Patriot Act contains laws so onerous that Congress set expiration dates for some (but not all) of them. These "sunset clauses" are a great idea, something that should be added to all laws. There is no reason old laws shouldn't be brought out, examined, argued over, and allowed to expire if they no longer serve their purpose.

By default, every new law should expire in twenty years. Short sunsets, like two years or five years, would prevent our legal system from maintaining the appearance of stability. Longer clauses, say, fifty years, would mean we'd have to put up with particular laws for most of our lifetimes — hardly an improvement.

There is no reason **old laws** shouldn't be brought out, examined, argued over, and **allowed to expire** if they **no longer serve** their purpose.

What about laws against things like rape or murder, laws that everyone but Mike Tyson or O.J. agree with? No problem. When they are set to expire, Congress can pontificate and thump their chest and renew them, then go home and brag to their constituents about their brave stand against violent crime.

Ideally, when this plan is implemented (i.e. when a cold, cold hell is filled with flying pigs), it should not only affect new laws, but older ones as well. We couldn't handle the chaos of all our laws expiring at once, so we'll go about it in an orderly fashion. As part of this new law, every existing law will expire twenty years later. Instead of debating new laws, they'd have to debate all the old ones, or let them die of old age.

Expirations should apply to government agencies as well. The EPA did its best work during its first twenty years. Then along came Carol Browner, who turned it into nothing more than a **junk science machine** intent on punishing industry simply because it could. That legacy is being carried on by Christine Todd Whitman. If the mandate for

the agency had expired at the end of twenty years, we might be free of them. If they were forced to disband and start from scratch, at least they might accidentally hire a real scientist or two.

As laws that created **useless government agencies expire**, the **budget deficit** will become but a **dim memory**.

The same goes for the FDA, whose foot-dragging creates delays that have probably killed more people than their regulation has saved. How about the Department of Education, the poster boy for fraud and waste? Let the law that created the agency expire, then shut it down and return that job to the states, where it belongs. As laws that created useless government agencies expire, the budget deficit will become but a dim memory.

“But,” you may object, “Congress will be so busy reviewing expiring laws that they wouldn’t have time to pass new ones.” “Ah-ha,” I answer, “Now you are beginning to understand.”

* * *

Ask a stranger to tell you about himself, and the first thing out of his mouth is likely to be his profession. People, especially men people, identify themselves by what they do. They *are* carpenters, or programmers, or engineers. And as much as we like to

bitch and moan about working, most of us like what we do. Carpenters like to build stuff, programmers like to program, engineers like to design things, and legislators, bless their blackened, shriveled little hearts, like to legislate. Give them a spare moment and they'll give you a new law.

Laws reduce freedom, either directly, or indirectly by sucking more money out of our pockets. Keeping legislators busy arguing about expiring laws will leave them very little time to concoct new ones. Every law that expires causes a net gain in freedom. It's a win-win situation.

info

ABOUT THE AUTHOR

Dave Hitt is a cranky bastard with more opinions than he knows what to do with, so he dumps some of them online, in [The Hittman Chronicle](#). Otherwise, they tend to spill out in everyday conversation, which can be embarrassing.

DOWNLOAD THIS

This manifesto is available from <http://changethis.com/13.DatedForFreshness>

SEND THIS

Click here to pass along a copy of this manifesto to others.

<http://changethis.com/13.DatedForFreshness/email>

SUBSCRIBE

Learn about our latest manifestos as soon as they are available. Sign up for our free newsletter and be notified by email. <http://changethis.com/subscribe>

info

WHAT YOU CAN DO

You are given the unlimited right to print this manifesto and to distribute it electronically (via email, your website, or any other means). You can print out pages and put them in your favorite coffee shop's windows or your doctor's waiting room. You can transcribe the author's words onto the sidewalk, or you can hand out copies to everyone you meet. You may not alter this manifesto in any way, though, and you may not charge for it.

NAVIGATION & USER TIPS

Move around this manifesto by using your keyboard arrow keys or click on the right arrow (→) for the next page and the left arrow (←). To send this by email, just click on .

HAVING PROBLEMS SAVING TO DISK?

First, make sure you have the latest version of Acrobat Reader 6 which you can download from <http://www.adobe.com/products/acrobat/readstep2.html>. If problems persist, it may be due to your Acrobat Reader settings. To correct the problem (for Windows), a reader, J. Hansen, suggests going to your Acrobat Reader Preferences > Options > Web browser Options. Check the “Display PDF in Browser” option. Then click on Save to Disk .

KEYBOARD SHORTCUTS

	PC	MAC
Zoom in (Larger view)	[CTL] [+]	[⌘] [+]
Zoom out	[CTL] [-]	[⌘] [-]
Full screen/Normal screen view	[CTL] [L]	[⌘] [L]

BORN ON DATE

This document was created on 7 February 2004 and is based on the best information available at that time. To check for updates, please click here to visit <http://changethis.com/13.DatedForFreshness>

info



COPYRIGHT INFO

The copyright in this work belongs to the author, who is solely responsible for the content. Please direct content feedback or permissions questions to the author: hittman@davehitt.com

This work is licensed under the Creative Commons Attribution–NonCommercial–NoDerivs License. To view a copy of this license, visit <http://creativecommons.org/licenses/by-nc-nd/2.0> or send a letter to Creative Commons, 559 Nathan Abbott Way, Stanford, California 94305, USA.

Cover image from stock.xchng

ABOUT CHANGETHIS

ChangeThis is a vehicle, not a publisher. We make it easy for big ideas to spread. While the authors we work with are responsible for their own work, they don't necessarily agree with everything available in ChangeThis format. But you knew that already.