



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

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What's wrong in Washington is deeper than you think.

Yes, there's gridlock, polarization, and self-dealing. But hidden underneath is something bigger and more destructive. It's a broken governing system. From that comes wasteful government, rising debt, failing schools, expensive health care, and economic hardship.

Rules have replaced leadership in America. Bureaucracy, regulation, and outmoded law tie our hands and confine policy choices. Nobody asks, "What's the right thing to do here?" Instead, they wonder, "What does the rule book say?"

There's a fatal flaw in America's governing system—trying to decree correctness through rigid laws will never work. Public paralysis is the inevitable result of the steady accretion of detailed rules. America is now run by dead people—by political leaders from the past who enacted mandatory programs that churn ahead regardless of waste, irrelevance, or new priorities.

America needs to radically simplify its operating system and give people—officials and citizens alike—the freedom to be practical. Rules can't accomplish our goals. Only humans can get things done.

In *The Rule of Nobody* Philip K. Howard argues for a return to the framers' vision of public law—setting goals and boundaries, not dictating daily choices. This incendiary book explains how America went wrong and offers a guide for how to liberate human ingenuity to meet the challenges of this century.

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

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Government Philip K. Howard

From Reader Review The Rule of Nobody: Saving America from Dead Laws and Broken Government for online ebook

Jim Davis says

Phillip K Howard's book brings up a fascinating debate over the ballooning of bureaucracy, regulation, and ever more detailed rule of law, rather than regulation via principle. As a society we have continued to lose trust in the ability of individuals in authority positions to apply rules in ways that make sense and have instead turned to governance by reams and reams of rules, regulations and dictates. So much so that we have bogged our entire society down with a crippling bureaucracy and have rendered our own government ineffective. What I like about this book is that Howard offers more than complaints about what is wrong as so many pundits do, but also lays out a multifaceted plan to fix our government. Some of his ideas include recodifying the existing laws and cleaning out all of the overly detailed and redundant laws already on the books. Also to add several constitutional amendments including one about periodically re voting on any law which takes money out of the budget in order to limit wasteful and redundant laws and agencies. According to Howard, "Bureaucracy has smothered the essential ingredient of democracy, citizen ownership. We don't own our government, we acquiesce in it. Most Americans seem to be in a trance, sleepwalking along side this huge government, seemingly made safe by its size and legalistic processes. It's what we thought we needed. We lost trust in the establishment and we lost trust in ourselves. Law would tell everyone how to do things properly. We didn't trust the dynamic of free people judging each other. Now we lack the imagination to remember how a free society is supposed to work, including how officials can make necessary public choices. Worse, the system has sapped our spirit to do anything about it. Americans need an intervention. The key to fixing democracy is motivating ourselves to make it happen."

I like his thinking and it is a valid discussion to understand how we have moved away from governance by principle, but I find his solutions to be nearly impossible to implement regardless of how sensible they may be.

Ian Colby says

I don't disagree with the basic sentiment of the book, but I find two frustrating deficiencies: 1. it's written in the style of a political preacher rather than a political scientist. His conclusions are self evident because he believes they are right. He uses specific anecdotes to prove his beliefs rather than detailing any inside knowledge or verifiable facts. (Related: he generalizes by focusing on the worst cases) 2. He fails to internalize the consequences of sweeping away the system he doesn't like or what the new rules of a responsibility system he does like would mean. I like some of the ideas of law book spring cleaning, I just wish this book had been written by someone else.

Julian Douglass says

I always say that books that praise the good while glossing over the bad should be taken with a healthy dose of skepticism, and this book is no different. First, Mr. Howard's central thesis in the entire book is that the only thing that can solve the malaise of government is personal responsibility and trust in humans, which is fine, except that he offers very little evidence to support his claim besides one study of Australian nursing homes. The next issue in this book is that he points to other countries with the institutions that he thinks

America should have, but fails to explain how they work besides a one sentence reasoning that fits his central thesis again, never mind that these institutions are apart of government to begin with. He never seems to fight off criticisms of unchecked human abuses of the powers that they might run into, basically saying that power humbles people (which is not true). The council of citizens has a problem with being corrupted just like the appointment of senators by the state legislatures did in the 19th and early 20th centuries, and it is very unclear what they would actually do.

There are some great ideas in this book: A sunset clause for needless laws that have gone past their usefulness, a way to modify laws by industry experts instead of career politicians, the president being able to use the line-item veto to pass budgets or other bills without torpedoing the entire bill because some congressman attached a poison pill amendment to the draft.

Overall, I think this book is good on the problems but not on the solutions. As a college professor of mine said to my class one day, "It is a lot easier to tear something down than to build it up"

Charles Berteau says

A clear and detailed assessment of the failure of the detailed regulatory state, supplemented with the author's view that the solution is a reversion to broader legal guidelines, and public officials accountable to act within these guidelines, under a checks-and-balances supervisory regime.

There is far too much to go into in a brief review, and I can't say that I agree with the author's presumption that the only way to redress the current situation is with a series of constitutional amendments (how likely is that?!), but his identification of the problem is absolutely spot on. By attempting to remove discretion from the public action arena - because, too often, discretion turned into discrimination and arbitrariness - we have instead created a regime that is purely rule-following, with no attempt to administer to the public good, without extraordinary effort and usually even with such extraordinary effort. Instead of fixing the inevitable negative outcomes with broader guidelines that re-focus on the public good (as many other countries have done), we simply pile on more rules. Now we have the same arbitrariness (choosing which rules to enforce, and upon whom), combined with absolutely no focus on reasonable outcomes - only the protection of following the rules strictly, as enervating as this is for both the public agent and the public itself.

I heartily recommend this book, which proceeds via a number of core propositions as the author exposes the topic. Every chapter was enlightening and frustrating. As to solutions, though, a bit more difficult to see. Breaking the bounds of being "ruled by dead people" is tough to contemplate, even if some steps are obvious (e.g. automatic sunset clauses, with the need for outcome review before re-enactment).

If you don't have time to read this book, at least check out the author's TED talk at:
http://www.ted.com/talks/philip_howar...

Richard Gazala says

"This town needs an enema." So said Jack Nicholson's "Joker" about the dysfunctionality of Gotham City in Tim Burton's 1989 movie, "Batman." In "The Rule of Nobody," author Philip K. Howard embraces Joker's sentiments exactly, save that Howard's disgust is aimed squarely at Washington, D.C. Regardless of one's political stripe, the list of what's badly broken in national politics far exceeds the tally of what's working well. In this book, Howard illustrates the vast and litigious space separating common sense from bureaucratic

inertia in modern America. Surely many ailments explain the malady, and just as surely one of the more prominent among them is bureaucratic malaise brought about by countless aged and conflicting rules and regulations as immortal as they are useless, if not downright dangerous. Thus the enema -- Howard's prescription to set things right in part is to vigorously seek and eliminate outdated federal bureaucratic regulations and regulators whose evolution has rendered them poisonous to the health of our national body politic. Howard's diagnosis, prognosis and suggested course of treatment all ring true. There's no politician alive who wouldn't benefit himself and his constituents by reading this book. You should read it, too.

Mike Eckhardt says

Long on criticism, short on actual solutions.

Greg says

Philip Howard sets out to show how *“freedom diminishes as government loudly grinds towards paralysis” and that as “daunting as the prospect maybe, we must rebuild modern government.”* To prove his point, his book is full of supporting tales of a government that is in paralysis and the book is richly littered with excellent quotations.

That is the good.

The poor is that the book needs a good editor as it is overly long for the points made and is, at times repetitive. Also, Howard seems to be a supporter of big powerful central government, as a way to overcome paralysis, plus states' rights hardly get a mention. As an outsider, it has always struck me that one of the strengths of the US culture, is that states have a large degree of independence which acts as an automatic balancing of power when one state goes to extremes of debt or anything else. People will vote with their feet and relocate.

I find myself disagreeing with some of his solutions as they will give the US government even more power at the centre and will give the President too much power, power that seems to be being abused already (2015), without granting more. That is the path to dictatorship.

In his appendix, Howard lists a *“Bill of Responsibilities”* in the nature of 5 proposed amendments to the Constitution. They make interesting reading, and could improve government, but I feel certain that his:

1. Amendment XXIX *“... the President may: reorganize executive agencies and departments; veto line items in proposed budgets; refuse to spend budgeted funds for any program in order to avoid waste or inefficiency”*

and

2. Amendment XXX *“The President shall have authority over personnel decisions in the executive branch, including authority to terminate public employees, within budgetary guidelines and neutral hiring protocols established by Congress.”*

will result in powerful big government. Howard seems to be a supporter of this.

At the minimum, his amendment ideas should start a healthy discussion.

Howard's comparison of the US government with Jonathan Swift's “Lagado” is both funny and sadly accurate. As he writes: *“Modern American government is also organized to put theory above reality. Public choices, we believe, should be made pursuant to clear rules, set in advance, whatever the consequences. The*

consequences, as in Lagado, are wholly predictable: Nothing much works. Government staggers towards insolvency because no one is able to adjust unaffordable programs. An official lacks the authority to pull a tree out of a "class C-1" creek."

A curate's egg of a book. The good is very good, and the bad, worrying.

Philip Howard is the Chairman of Common Good. For further details of his reform agenda, go to.

<http://www.commongood.org>.

Stanislav says

Book with an interesting idea - not just for US but for any government too bogged down in bureaucracy. What would happen if we let officials decide things based on very broad principles set by law, without laying out detailed plans in huge rulebooks nobody reads.

This idea of returning responsibility for decisions to the people "on the ground" is mentioned right from the start. It builds on several examples of how dysfunctional American government has become. President has no executive powers, environmental review for a bridge takes 10 years, bad teachers cannot be fired because they could sue, tree has to keep blocking the road because not all agencies have approved removing it. And there's more. Some of these I remember hearing about but not all.

What makes this book interesting (even if it's the less interesting part) is that it tries to propose a way to fix this - including amendments to constitution and few other measures like creating a "citizen's council". Not sure all of these would even work - but I don't see how any of these would get a support from both Republicans and Democrats. The book assumes that people will eventually ask for this reform. It might be - but I feel like it would be a first time in history this actually happened. In a way America feels like a great empire - crumbling, forgetting it's core values and intent on bike-shedding idiotic small things. Even the book admits - changes like these are usually done by revolution.

And maybe it will take a revolution for somebody to start ruling.

Elizabeth says

This is one book that I would like to read as a part of a book club. Especially a book club with both liberal and conservative members. The only way I will be able to solidify my opinion of this book is through discussion.

In short the book proposes reducing our reliance on laws and increasing reliance on individuals taking responsibility for what they see in front of them. The author then proposes five new amendments to the us constitution: the first is that every law that impacts budgets will have a sunset clause; the second and the third reinstate power to the executive branch; the fourth requires judges to approve a lawsuit before the potential defendant has to respond at all (ideally to prevent harassing litigation); and the last enacts a council of citizens who will essentially be a nonpartisan advisory body to congress.

Interesting ideas that I broadly agree with but have to think seriously about the ramifications.

Don says

Book is about a topic that is extremely important to everyone. The book is difficult to read as the writing does not seem to flow easily. This may be a function of the topic. Recommend it to anyone interested in our government.

Kylie Sparks says

This is a very rare political book--a nonpartisan book. He talks about why nothing can get done in America, because rules have replaced leadership and no one has the authority to make decisions. Legal review processes take decades, everyone is afraid of litigation, and old laws never die. In your own house, it would be a mess really soon if you never cleaned the refrigerator or took out the trash or gave bags of clothes to charity. Government is like a hoarder, Howard says, and he makes a very convincing argument. Howard doesn't just point out what's wrong: he has concrete suggestions of how to fix it. I hope that this book will be widely read, so that change can happen in a proactive way and not through the negative way of having our system fall apart first.

Kurtbg says

How responsible and dedicated are congress and lawmakers to the management of the united states, it's laws, and in improving the country?

Not very, according to Philip K. Howard. The book showcases how legislators are either ignorant, unempowered, or unmotivated to fix the problems of vague and poorly written laws. In the end such weaknesses and holes end up being exploited by those with means; the political class, the affluent, and corporations. Those who pay? well, I guess that would be everyone else and those who come after.

Putting down the field is a short term strategy and doesn't provide very good results as an overall strategy. Sooner or later the game has to resume, or by default, forfeited. The game? At a minimum, the maintainability and legitimacy of this country to provide and sustain life, liberty, and the pursuit of happiness.

Mark Lawry says

It started out great then something happened. If he had just stopped around page 50 I would say the book is a 5 out of 5. Howard gave great examples early in the book of how too much regulation has become costly while making governing so difficult or even impossible. Reagan explained these very things. He argued that everyone should simply be aware of the costs of regulation and that people at all levels of government should try to minimize and simplify regulation where ever possible to make governing more efficient. Reagan didn't say that we should have no government or that we should have no regulation. He said exactly what he said. These ideas weren't new at the time (1980s) by the way and they have been restated by Bush, Clinton, Bush, and Obama since.

Evidently Howard is an anti-Reagan guy so he doesn't want to say "deregulation," just like Clinton and

Obama wouldn't want to use such a word. Instead he suggests that everyone should simply be aware of the costs of regulation and that people at all levels of government should try to minimize and simplify regulation where ever possible to make governing more efficient. Yes, this is exactly what Reagan said, for those following the conversation.

The author makes fun of Reagan for his ideas of deregulation and then spends a 100 pages making a case for deregulation (but not using the word) while expanding on Reagan's ideas further. Reagan never suggested creating a fourth branch of government (that I'm aware of) dedicated to coming up with suggestions of reducing regulation. Howard does just this, and then adds 5 more suggestions for constitutional amendments in an attempt to reduce regulation. One of those is the line-item veto that got shot down by the Supreme Court in 1998 as Clinton was so effectively using it. This suggestion is probably the best one in the entire book.

I wouldn't say don't read it. Great arguments of the risks of too much regulation while in a very short book. It is worth reading even if I might be a bit hard with a 2 star review.

E says

A pretty good account of what's wrong with government in this country--so many rules and regulations that no one can think on his own anymore. Instead of asking, "What's the right thing to do?" we ask, "What's the rulebook say?" So we have paralysis, not to mention 82 different Federal job-training programs. So what is Howard's solution? Five new amendments to the Constitution.

The problem is that the amendments seem to be just another layer of bureaucracy. Will they really solve anything? Hard to say, although give Howard credit for trying. He knows that things will only change when the populace rises up and says enough is enough. No matter how many tea-partiers you elect to Washington, we cannot count on Congress to ever look after any interests except its own (and Howard is no tea-partier, even if affinities are present). Howard just wants this uprising to be peaceful, which is why he suggests amendments that will hopefully preclude revolution.

The amendments:

1. all laws sunset ever 15 years unless renewed by Congress. Also, Congress can nullify any regulation promulgated by the executive branch with a majority vote (no presidential presentment necessary).

This is by far his best amendment. Its beauty is pretty self-explanatory.

2. The president can reorganize the executive branch, use the line item veto, impound unspent monies, etc., all subject to a majority vote override in Congress.

Again, pretty self-explanatory, although I'd up the vote needed for congressional override.

3. The next amendment allows the president to manage and terminate government personnel, attempting to return to a merit system rather than a spoils system.

This is fine, but would the president actually do it? Anything to reform and clean out the current civil service is fine by me, though.

4. No respondent in a lawsuit need even spend a penny to mount a defense until a judge determines that the case is reasonable.

This is obviously a giant stab at tort reform. Lawsuits today require great money and time spent by respondents before the case is even heard. This amendment seeks to reduce unnecessary suits.

5. Establish a council of citizens with advisory powers only (100, with 2 appointed by each governor).

I like that governors appoint the council, but would such a council really be a "locus of moral authority, untarnished by political ambition or monetary self-interest," as Howard hopes? I remain skeptical, although I suppose its worth a shot

Beth Diesch says

Howard's book provides an interesting (if not original) discussion regarding the overly-litigious evolution of American law over the course of the 20th Century. He favors principles-based governance under the assumption that, when given the chance, the majority of governed individuals will act in the best interest of the group rather than for themselves. The foundation of his argument and political observations is that most laws can be reduced to a page or two from their existing tens or hundreds of confounding and indecipherable pages of jargon. His examples (public works projects, the education system, palliative care) are pertinent to his argument but he fails to provide enough variety or quantity of examples to propel his book through the hundreds of pages it requests of the reader.

While his argument was interesting and thought-provoking his message would have been much more salient had it occupied a much shorter text or had proven less wordy and repetitive itself (ironic given the subject matter). I would be very interested to read an article if he were to publish in a journal or newspaper but I will be reluctant to invest my time in another published book of his.

I was unable to finish the book due to the repetitive discourse and tone of overt superiority that comes through in his writing style. Perhaps the last 1/3 of the text changes radically enough to feel as if a conclusion has been proposed to the problem he has identified. Unfortunately this is only about the 5th book I have failed to finish in my life.

I was able to read this text courtesy of the New York Public Library: <http://www.nypl.org/>
