



Written by [John and Nisha Whitehead](#) on May 16, 2024

## A Nanny State Idiocracy: A Tale of Too Many Laws and Too Little Freedom

We are caught in a vicious cycle of too many laws, too many cops, and too little freedom.

It's hard to say whether we're dealing with a [kleptocracy](#) (a government ruled by thieves), a [kakistocracy](#) (a government run by unprincipled career politicians, corporations and thieves that panders to the worst vices in our nature and has little regard for the rights of American citizens), or a Nanny State [Idiocracy](#).

Whatever the label, this overbearing despotism is what happens when government representatives (those elected and appointed to work for us) adopt the authoritarian notion that the government knows best and therefore must control, regulate and dictate almost everything about the citizenry's public, private and professional lives.

The government's bureaucratic attempts at muscle-flexing by way of overregulation and overcriminalization have reached such outrageous limits that federal and state governments now require on penalty of a fine that individuals apply for permission before they can grow exotic orchids, host elaborate dinner parties, gather friends in one's home for Bible studies, give coffee to the homeless, let their kids manage a lemonade stand, keep chickens as pets, or braid someone's hair, as ludicrous as that may seem.

As the Regulatory Transparency Project explains, "There are over 70 federal regulatory agencies, employing hundreds of thousands of people to write and implement regulations. [Every year, they issue about 3,500 new rules](#), and the regulatory code now is over 168,000 pages long."

In his CrimeADay Twitter feed, Mike Chase highlights some of the more arcane and inane laws that render us all guilty of violating some law or other.

As Chase notes, it's against the law to try to make an unreasonable noise while a horse is passing by in a national park; to leave Michigan with a turkey that was hunted with a drone; to refill a liquor bottle with different liquor than it had in it when it was originally filled; to offer to buy swan feathers so you can make a woman's hat with them; to enter a design in the Federal Duck Stamp contest if waterfowl are not the dominant feature of the design; to transport a cougar without a cougar license; to sell spray deodorant without telling people to avoid spraying it in their eyes; and to [transport "meat loaf" unless it's in loaf form](#).

In such a society, we are all petty criminals.



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In fact, Boston lawyer Harvey Silverglate estimates that the average American now unknowingly commits three felonies a day, thanks to an overabundance of vague laws that render otherwise innocent activity illegal and an inclination on the part of prosecutors to reject the idea that there can't be a crime without criminal intent.

The bigger the government grows, the worse the red tape becomes.

Almost every aspect of American life today, including the job sector, is now subject to this kind of heightened scrutiny and ham-fisted control.

Whereas 70 years ago, one out of every 20 U.S. jobs required a state license, today, almost [1 in 4 American occupations requires a license](#).

According to business analyst Kaylyn McKenna, [more than 41 states require that makeup artists be licensed](#). Twenty-eight states require a license before you can work as a residential painter. Funeral attendants, whose duties include placing caskets in visitation rooms, arranging flowers and directing mourners, have to be licensed to do so in Kansas, Maine and Massachusetts.

The problem of overregulation has become so bad that, as one analyst notes, "getting a license to style hair in Washington [takes more instructional time than becoming an emergency medical technician](#) or a firefighter."

This is what happens when bureaucrats run the show, and the rule of law becomes little more than a cattle prod for forcing the citizenry to march in lockstep with the government.

Overregulation is just the other side of the coin to overcriminalization, that phenomenon in which everything is rendered illegal, and everyone becomes a lawbreaker.

As policy analyst Michael Van Beek [warns](#), the problem with overcriminalization is that there are so many laws at the federal, state and local levels—that we can't possibly know them all.

"It's also impossible to enforce all these laws. Instead, law enforcement officials must choose which ones are important and which are not. The result is that they pick the laws Americans really must follow, because [they're the ones deciding which laws really matter](#)," concludes Van Beek. "Federal, state and local regulations — rules created by unelected government bureaucrats — carry the same force of law and can turn you into a criminal if you violate any one of them.... if we violate these rules, we could be prosecuted as criminals. No matter how antiquated or ridiculous, they still carry the full force of the law. By letting so many of these sit around, just waiting to be used against us, [we increase the power of law enforcement](#), which has lots of options to charge people with legal and regulatory violations."

Case in point: in New Jersey, in what journalist Billy Binion describes as "yet another example of the effects of [overcriminalization, which increases interactions between civilians and police with little benefit to actual public safety](#)," police went so far as to arrest a teenager and seize other teens' bicycles for so-called traffic violations and a failure to register their bikes with the state.

This is the police state's superpower: it has been vested with the authority to make our lives a bureaucratic hell.

"Such laws," notes journalist George Will, "which enable government zealots to accuse almost anyone of committing three felonies in a day, do not just enable government misconduct, they incite prosecutors to intimidate decent people who never had culpable intentions. And to inflict punishments without crimes."



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This is what happens when the American people get duped, deceived, double-crossed, cheated, lied to, swindled and conned into believing that the government and its army of bureaucrats—the people we appointed to safeguard our freedoms—actually have our best interests at heart.

As I make clear in my book [Battlefield America: The War on the American People](#) and in its fictional counterpart [The Erik Blair Diaries](#), the problem with these devil's bargains is that there is always a catch, always a price to pay for whatever it is we valued so highly as to barter away our most precious possessions.

In the end, such bargains always turn sour.

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