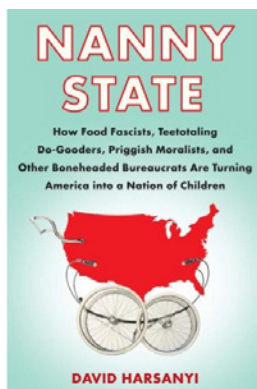


Freedom in the nanny state

Louise Staley reviews

Nanny State: How Food Fascists, Teetotaling Do-Gooders, Priggish Moralists, and Other Boneheaded Bureaucrats Are Turning America into a Nation of Children

by David Harsanyi
(Broadway, 2007, 304 pages)



Booze, smokes, porn—the usual suspects—are joined by trans-fats, cheerleaders and jungle gyms in the long list of life's pleasures being regulated out of existence by an ever-expanding government in *Nanny State: How Food Fascists, Teetotaling Do-Gooders, Priggish Moralists, and Other Boneheaded Bureaucrats Are Turning America into a Nation of Children* by David Harsanyi.

David Harsanyi's book is an amusing tour of the worst excesses of the Nanny State.

His examples are appropriately bizarre, such as the legislation drafted by Californian congressman Doug Ose to control swearing on the airwaves, which sets out in excruciating detail which words, hyphenated compounds, and other grammatical forms are banned. Or the 50-year-old being asked for his ID in a Kentucky bar because a 70-year-old had successfully sued on the grounds of age discrimination when he wasn't asked.

Apart from that small and virtuous group called libertarians, everyone else is a target for Harsanyi. He saves particular scorn for what he sees as the inherent hypocrisy of moral conservative crusades

against porn, Internet gambling and Janet Jackson's nipple, while simultaneously promoting less intrusive government as a political ideology. However do-gooders of the left are named and shamed in greater numbers for their multitude of Nanny State interventions. For those opposed to excessive regulation, it is always tempting to highlight the overlap of conservatives and the left. But this is a cheap shot without at least attempting to explain the motivations of both groups.

It may be that the conservatives causes (porn, gambling, drugs and prostitution) are the last faint echoes of what was previously a full-blown symphony of control, while the regulation of the left is just beginning in limiting individual choices.

The proper limits of regulation and the symbiotic relationship that much of the new regulation has with risk avoidance raise tons of questions that would make for a fascinating book, but this is, unfortunately, not that book. *Nanny State* is long on examples of nanny-state regulations, but is disappointingly short on analysis and argument.

Over the past 30 years, the nature of regulation has changed markedly in all developed societies. In Australia, shop trading laws were heavily restricted in all states, price controls existed for many foodstuffs, such as milk, eggs and bread, and monopoly providers delivered telecommunications and electricity. In ad-

dition to economic controls, abortion was illegal, homosexual sex was against the law and married women were barred from working in the public service.

It would be a mistake, therefore, to regard the more recent past as a golden age of freedom. In many important respects, individuals have much greater freedoms now than they did in the past; both in how they choose to live their lives and in their economic freedoms. The nature of what might be called regulation of the personal sphere is, however, changing. The religious basis for laws relating to temperance, abortion, homosexuality, and mixed-race relationships has given way to ever-increasing state paternalism. In the past, certain behaviours were seen as morally wrong, now new laws are passed ostensibly to protect others from our actions and increasingly to protect us from ourselves.

Why this is occurring in the personal sphere, at a time when the limits of regulation in the economic and moral spheres are receding, is immensely interesting. For the first time in human history, people in developed societies are free to make many fundamental life choices: in fertility, sexuality, and timing of death, yet at the same time are losing the choice to smoke, to eat certain types of food, to drink alcohol when pregnant. How this reversal of the traditional approach—that is, regulating what can be done in the bedroom while leaving the kitchen alone—will pan out for individual's lives is still unknown.

This book has much to recommend it as a handy and enjoyable compendium of some of the most excessive examples of law-making. No case can be proved by example, however, so Harsanyi's claim that the rise of this new regulation stops people learning common sense and lose the capacity for personal responsibility remains open to attack from the equally possible examples of people behaving with immense stupidity.

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